

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: September 7, 1955

FROM : M. A. Jones

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY 20883 JAC/STPSUBJECT: FULTON LEWIS, JR., RADIO BROADCAST  
SEPTEMBER 6, 1955

Tolson	_____
Boardman	_____
Nichols	_____
Belmont	_____
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Mr. Lewis devoted most of his broadcast to a discussion of the Ford Foundation. He started off by stating that some very interesting developments had taken place during the last 24 hours regarding the Ford Foundation, specifically an announcement last night of the formation of a huge scholarship foundation fund with headquarters in Chicago to finance college educations for worthy and promising young students who could not otherwise afford them. The Ford Foundation has contributed \$20,000,000, the Carnegie Foundation \$500,000, the Sears Roebuck Foundation \$600,000 and Time, Inc., \$30,000, for a total of \$21,130,000. He said \$1,000,000 a year would be spent in the next four years financing scholarships of \$6,000 each for a four-year scholarship period. Another \$8,000,000 would be available to be matched by business, industry and individuals in contributions for additional scholarships, thus making a potential of \$26,000,000.

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He said the announced objectives of the scholarship fund were to locate the most able youth to make it possible for them to get a college education regardless of their financial needs and finally to make it easy for business to contribute effectively to higher education.

NOT RECORDED  
44 SEP 15 1955

Mr. Lewis stated this was all very admirable and very commendable and it would certainly appear so far as the Ford Foundation is concerned, that this is an effort to redeem itself somewhat in the public eye for some of the things it has done in the past and some of the contributions it has made in the past, notable among them a gift of \$15,000,000 to the so-called "Fund for the Republic," which is being used essentially for left wing propaganda along the lines of the ADA (Americans for Democratic Action), the CIO Political Action Committee and the general official line of the Communist Party. This at least is a project for the general public welfare of the U. S. It is a worthy follow-up to the \$50,000,000 grant of Ford Foundation about a year ago to improve the salaries of school and college teachers of the Nation. Worthy, that is to say, if it is administered legitimately, but the word is broad when it says that students might qualify through aptitude testing "and other means." This leaves it wide open and finally dependent upon the individuals who administer the program. Mr. Lewis then stated that the Board of Directors had not yet been announced, but the chairman of the board had been announced as Mr. Laird Bell of Chicago, who will be chairman of the board of the new fund. He said Laird Bell was a classmate of the late Franklin D. Roosevelt and a close friend and admirer of Franklin D. Roosevelt; that Bell was also a close friend and admirer

cc - Mr. Nichols  
cc - Mr. Boardman  
cc - Mr. Belmont  
cc - Mr. Jones BMS:nma

21 SEP 15 1955

CLASS

Memo to Mr. Nichols

September 7, 1955

Robert Hutchins when Hutchins was Chancellor at the University of Chicago. He said Bell was a member of the Board of Trustees at the University of Chicago from the time Hutchins was appointed until 2 years after Hutchins left in 1951 to go to the Ford Foundation. Lewis said that Bell spent some time on the witness stand defending Hutchins and insisting there was no Communist infiltration on the campus of the University of Chicago at the time the University was under investigation by the Broyles (phoenetic) Committee.

Mr. Lewis further stated that the name of Laird <sup>Bell</sup> appeared on the letterhead of the "Committee for an Effective Congress" and that he supported the rather shadowy activities of Senator Ralph Flanders of Vermont and supported Senator Flanders' activities in the Army-McCarthy investigation. Bell defended Alger Hiss. He was at one time president of the English-speaking Union, president of the Chicago Council on Foreign Relations and is now on the Board of Trustees of Harvard University. He has been a violent opponent of Congressional committees investigating Communist and other subversive activities as far back as the Dies Committee. He said Bell opposed violently the firing of teachers who took the Fifth Amendment. In 1953, he was chairman of a dinner committee to welcome Adlai Stevenson back to Chicago from his trip around the world. Despite his Partisan activities and the further fact that Bell is listed as a Democrat in "Who's Who in America," plus the fact that he contributed \$1,000 to the Senatorial Campaign Fund of Democratic Senator Douglas of Illinois a year ago, President Eisenhower appointed Mr. Laird Bell a member of the U. S. Advisory Commission on Educational Exchange in February of this year and just this last July appointed him as an alternate U. S. delegate to the United Nations. Mr. Lewis <sup>then started</sup> that seems to tell the story of the head of this new \$20,000,000 scholarship fund. CALIF

Mr. Lewis further stated that in the meantime, the grant of \$25,000 by the Fund for the Republic out of its \$15,000,000 Ford Foundation Fund to Stanford University for "analysis of the testimony of witnesses in proceedings relative to Communism" which was to cover such witnesses as Elizabeth Bentley, and others, the Fund for the Republic was running into trouble. He said the Dean of Stanford had made this deal without the consent of the Board of Directors of Stanford University. He then named the Dean as Carl B. Spaeth ~~no Spaeth (phonetic)~~. He said the agreement was that Herbert Packer would join the Stanford University Law Faculty in January 1, and would administer the proposed investigation for the Fund for the Republic, but the thing that had overlooked was the fact that the Board of Directors would have to approve the appointment of Herbert Packer and they were merely going to take no action of approval, and Packer would not then be able to go on the faculty and thus would not be able to run the survey.

RECOMMENDATION:

None. For information.

CALIF  
✓  
JBN



The Attorney General

August 31, 1955

Classifying Unit

Director, FBI

WASHINGTON REPORT  
SYNDICATED COLUMN OF  
FULTON LEWIS, JR.of Fund for the Republic

I thought you would be interested in the attached Photostat which is an advance release of Fulton Lewis, Jr.'s syndicated column Washington Report, dated August 30, 1955, which will be published on August 31, 1955.

Enclosures

CC - Mr. William P. Rogers (with copy of enclosure)  
Deputy Attorney General

CC - Assistant Attorney General (with copy of enclosure)  
William F. Tompkins.

CC - Mr. Belmont, with copy of enclosure  
CC - Mr. Nichols, with 6 copies of the enclosures

GMP:ivs  
(10)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-99 BY 28237 Jlag

INDEXED - 32

100-391697-162  
NOT RECORDED  
140 SEP 12 1955

ORIGINAL COPY FILED IN

58 SEP 28 1955

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94-4-2189-190

August 24, 1955

PERSONAL AND  
CONFIDENTIAL

Mr. Fulton Lewis, Jr.  
Room 811, Barr Building  
912 17th Street, Northwest  
Washington, D. C.

DECLASSIFIED BY: *SP3 BTJ/pj*  
ON *7-26-87*

Dear Fulton:

I want to congratulate you on the wonderful job you are doing on your evening program in apprising the public of the facts with regard to the Fund for the Republic.

It is indeed heartening to see you take the wraps off and present the whole situation in such a straightforward manner. All too often the people are victimized by high-sounding aims and ideals which distort and becloud the real truth, and it is about time that we call a spade a spade.

Keep up your good work. There is no room for public apathy where such vital issues are concerned, and your broadcasts are serving a real need.

With warmest regards,

Sincerely,

NOTE: On his broadcasts on 8/22 and 23/55, Lewis discussed the Fund for the Republic, the so-called public service organization financed by the Ford Foundation. He discussed primarily the \$25,000 grant by the Fund to Leland Stanford University for "analysis of the testimony of witnesses in proceedings relative to Communism." He felt that this is an obvious attempt to discredit the witnesses and help the Communist cause.

Tolson  
Boardman  
Nichols  
Belmont  
Harbo  
Mohr  
Winterrowd  
Tele. Room  
Holloman  
Gandy

ONLY FOR PAPERS PURCHASING LEWIS COLUMN, OTHERS MUST NOT USE.)

(CAUTION: ADVANCE THIS COLUMN FOR RELEASE WEDNESDAY, AUGUST 31, A.M. AND P.M. PAPERS. MUST NOT BE PUBLISHED BEFORE THAT DATE.)

ALL INFORMATION CONTAINED

WASHINGTON REPORT

HEREIN IS UNCLASSIFIED

BY FULTON LEWIS, JR.

DATE 7-26-89 (COPYRIGHT, 1955, KING FEATURES SYNDICATE, INC.)

WASHINGTON, Aug. 30 -- Ever since it was written into the Constitution in 1791, the Fifth Amendment has been a wholly justified vehicle to prevent individuals from being forced to testify against themselves.

It is part of the "Bill of Rights," which constitutes the cornerstone of the heritage of freedom for all Americans. With that concept there can be no quarrel, except from those who adhere to some form of totalitarianism such as Communism, under which there are no civil rights or liberties for anyone.

But traditionally, the Fifth Amendment has been a valid refuge only for those who had done something which they feared might, if brought into the open, subject them to prosecution. It was never intended to be a means whereby, out of mere whim or caprice, a witness could refuse to answer questions posed in a legally constituted court or investigative body.

Therefore, the concept of leading attorneys throughout this country's history always has been that if a witness refused to answer on grounds of the Fifth Amendment, and it was shown that actually the refusal was simply stubbornness without fear of possible prosecution, the witness might be subject to contempt prosecution.

The left wing presently is stepping up its well-organized campaign to subvert the Fifth Amendment and the traditional concept of what it is intended to safeguard. Liberals now are seeking to beguile the public into believing that it is, and always has been, perfectly proper for anyone to refuse to answer questions on grounds of the Fifth Amendment regardless of whether they actually fear any possible prosecution; that it is proper for a witness to refuse to answer questions, on grounds of the Fifth Amendment, simply because he does not like the tenor of the questions; and that citing the Fifth Amendment should not be construed as any indication whatsoever that the witness actually has anything to hide.

Aug 30 8 30 PM '55

(more)

FBI

cc to AG

By Fulton Lewis, Jr.

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One of the most ardent advocates of this new theory is Erwin N. Griswold, dean of the Harvard University Law School who recently wrote a book entitled "In Defense of the Fifth Amendment Today." Thirty-five thousand copies of the book have been distributed by the anti-anti-Communist Fund for the Republic to judges and attorneys throughout the country, obviously in hopes of enlisting additional adherents to this new theory. By sheer coincidence, Dean Griswold happens to be a member of the board of directors of the Fund for the Republic.

Although there was little or no mention of the incident in most newspapers, Griswold met somewhat of a comeuppance during last week's Philadelphia meeting of the American Bar Association during a debate on "Lawyers and the Fifth Amendment" before the ABA's committee on bar activities. His opponent was Tracey E. Griffin, prominent Seattle attorney and member of the ABA committee to study Communist strategy, tactics and objectives.

Of Griswold's book, Griffin declared its reasoning was not sound and that it "is now relied upon by the Fifth Amendment Communists, fellow-travellers, pseudo-liberals and international one-worlders as though it constituted a gold-leaf edition of the Communist Manifesto."

Griffin specifically disagrees with Griswold's thesis that invoking the Fifth Amendment is a basic right of any citizen, and adds: "To a layman, the refusal to answer a material question on the ground that it may tend to incriminate him is an admission of guilt of some crime."

To this layman, truer words were never spoken.

Griswold's rather lame reply included the comment that he would consider the nature of the tribunal before which a witness was speaking, and that he would draw a distinction between judicial inquiries and what he called "bad Congressional proceedings."

Congress is the proper body to determine whether its proceedings are good or bad; such a determination is far beyond the scope and jurisdiction of Dean Griswold, no matter how highly he may regard himself, or of any witness. Protests should go to Congress itself.

More power to Tracey Griffin's efforts to maintain the Fifth Amendment's traditional basis.

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. L. V. Boardman *flaw 9/22/55*

DATE: August 24, 1955

FROM : Mr. A. H. Belmont

SUBJECT: HERBERT L. PACKER

FUND FOR THE REPUBLIC (100-391697)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY 2083 (S) J/1089

*Viper*

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Tele. Room	_____
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Gandy	_____

An article in the August 22, 1955, issue of the "Washington Post and Times Herald" captioned "Republic Fund Helps Stanford Study Witnesses' Testimony on Communism" related that the Fund for the Republic disclosed the previous day it had given the School of Law at Stanford University a \$25,000 grant to study and analyze the testimony of leading witnesses on Communism. The article further related that the study will be directed by Herbert Packer, a member of the New York and Supreme Court Bars, who will work in Washington until January 1 and later as a member of the Stanford faculty.

A review of Bureau files reflects no investigation or identifiable derogatory information concerning Herbert L. Packer. Our records indicate Packer is a member of the Fund for the Republic's four-man Advisory Committee on Case Studies in Personnel Security.

*Herbert Packer*  
Martindale - Hubbell Law Directory, 1955, reflects that Packer was born in Jersey City, New Jersey, on July 24, 1925; received a B.A. degree from Yale University in 1944 and an LL.B. degree also at Yale in 1949; was Assistant Instructor in Law, Yale University, during 1948 and 1949; was admitted to the New York Bar in 1950; is currently an associate member of the law firm of Cox, Langford, Stoddard and Cutler, 1625 Eye Street, Northwest, Washington, D. C.

Available information reflects that Oscar Cox, a member of the above law firm, is the subject of a closed Security Matter - C investigation instituted in February, 1954, at the request of the Air Force under the Delimitations Agreement inasmuch as Cox was a civilian employee of the Kaiser Aluminum and Chemical Corporation, Oakland, California, an Air Force contractor. Investigation

Enclosure

RECORDED-27

cc - Mr. Nichols  
cc - Mr. Boardman  
cc - Mr. Belmont

INDEXED-27

10 SEP 19 1955

cc - Section Tickler

cc -

MSC:dae (17)

EX-124  
FOR APPROVAL  
SENT DIRECTOR  
8-14-55

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Memorandum for Mr. Boardman

revealed that Cox, Assistant Solicitor General, 1942 - 1943, signed a letter of recommendation for Henry Hill Collins, Jr., in behalf of Collins' efforts to secure a commission in 1943; entertained <sup>the</sup> Harry Dexter Whites at dinner in February, 1946, and March, 1947; was listed in the personal address book of Allan R. Rosenberg in 1946; and was listed in the personal records and notes of David R. Wahl in 1947. Henry Hill Collins, Jr., Harry Dexter White and Allan R. Rosenberg have been identified as formerly involved in Soviet espionage. David R. Wahl has been identified as a member of the Communist Party in the late 1930s and as an associate of members of the Silvermaster espionage group, which operated in Washington, D. C., and New York City in the early 1940s. (62-60527-38568)

Lloyd N. Cutler, also a member of the above firm, furnished an affidavit on May 10, 1950, in which he attested to the loyalty of Najeeb Elias Halaby, an employee in the office of the Secretary of Defense. Halaby was the subject of a Loyalty of Government Employees investigation in 1950 based on his reported association with pro-Nazi suspects in 1942. The loyalty investigation failed to reveal any disloyal activities on Halaby's part.

At a conference in the office of the Secretary of Defense, held in February, 1949, at which the Director was in attendance, Halaby described the FBI as a "more or less police agency with no knowledge of espionage or sabotage investigative experience." Halaby also criticized the Interdepartmental Intelligence Conference. (62-60527-38568)

RECOMMENDATION:

Attached is a memorandum to the Attorney General with copies to Deputy Attorney General Rogers and Assistant Attorney General Tompkins, reflecting pertinent information as set forth in this memorandum.

Mr. Tolson \_\_\_\_\_  
Mr. Boardman \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Belmont \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Parsons \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tamm \_\_\_\_\_  
Mr. Sizoo \_\_\_\_\_  
Mr. Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Holloman \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

# Republic Fund Helps Stanford Study Witnesses' Testimony on Communism

The Fund for the Republic disclosed yesterday it had given the School of Law at Stanford University, a \$25,000 grant to study and analyze the testimony of leading witnesses on communism.

The announcement was made by Robert M. Hutchins, Fund president, in a report on the organization's activities. The Fund was set up in December, 1952, with a \$15-million grant from the Ford Foundation to study civil liberties in the United States.

Hutchins said that in the field of civil liberties, "in some particulars the atmosphere is better than it was five years ago." But he added misunderstanding and violation of civil liberties "are still such as to give cause for alarm."

Noting the expansion of Government loyalty programs to cover "guilt by association," he said that "the evidence offered to show that a man is a danger to American institu-

"Cons has often been farcically remote."

Hutchins said the accepted view of Communist activity in this country rests largely on evidence given by a small number of witnesses, and there has never been a "sustained and rigorous analysis" of the evidence.

The aim of the Stanford study, he said, will be "to assemble the statements of the most important of these witnesses and to make an objective analysis and critical summary of them."

The study will be directed by Herbert Packer, a member of the New York and Supreme Court bars, who will work in Washington until Jan. 1 and later as a member of the Stanford faculty.

Hutchins, former president of the University of Chicago, disclosed the Fund for the Republic has spent \$2,514,738 since its formation in 1952, "to advance understanding of civil liberties."

Discussing the present status

of civil liberties, Hutchins said the cold war "has thrown the whole subject into unusual disorder."

He said treatment of suspects in congressional investigations and Government hearings "has not always been that contemplated by the Sixth Amendment," which guarantees due process of law to accused persons.

Continuous propaganda and social pressure, he declared, have "tended to suppress conscientious nonconformity."

"Political advantage has accrued from claiming that others were indifferent to the threat of communism. The result has been that Government, officers, university presidents and ordinary citizens have felt it necessary to exhibit inordinate anxiety on this score."

Hutchins said the Fund takes no position on such matters but believes the people should be fully informed. The Fund's aim is to help supply the necessary information, he said.

Wash. Post and Times Herald ☒  
 Wash. News \_\_\_\_\_  
 Wash. Star \_\_\_\_\_  
 N. Y. Herald Tribune \_\_\_\_\_  
 N. Y. Mirror \_\_\_\_\_

Date: 8-22-55

100-391697-163  
ENCLOSURE

## Fund Gives Stanford \$25,000 for Civil Liberties Study

The Fund for the Republic announced today it has given \$25,000 to the school of law, Stanford University, to study and analyze the testimony of leading witnesses on communism.

The study at the California University will be part of the Fund's continuing examination of civil liberties in the United States.

Robert M. Hutchins, Fund president, announced the gift in a report on the activities of the privately finance organization. It received \$15,000,000 in December, 1952, from the Ford Foundation to study civil liberties.

Mr. Hutchins reported that "the atmosphere" for civil liberties is somewhat improved over five years ago. But he said violation of civil liberties "are still such as to give cause for alarm."

Mr. Hutchins, former president of the University of Chicago, criticized the extension of Government loyalty-security tests to include "guilt by association."

"The evidence offered to show that a man is a danger to American institutions has often been farcically remote," he said.

Mr. Hutchins said the Stanford study will collect the testimony of the "most important" witnesses on communism "and make an objective analysis and critical summary of them." He said the accepted view of communist activity in this country rests largely on evidence given by a small number of witnesses. This testimony, he said, has never received "sustained and rigorous analysis."

The Stanford study will be under the direction of Herbert Packer, a member of the New York and Supreme Court bars. He will work

here until Jan. 1 and later as a member of the Stanford law faculty.

Mr. Hutchins said the Fund has spent \$2,514,738 since its formation in 1952 "to advance understanding of civil liberties." He said the Fund stands as a "symbol of the vitality of these freedoms." (AP)

Mr. Tolson \_\_\_\_\_  
Mr. Boardman \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Belmont \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Parsons \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tamm \_\_\_\_\_  
Mr. Sizoo \_\_\_\_\_  
Mr. Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Holloman \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

*Beard*  
*Baughman*  
*Bransford*  
*Thompson*  
*Walsby*

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b7c

Wash. Post and Times Herald \_\_\_\_\_  
Wash. News \_\_\_\_\_  
Wash. Star \_\_\_\_\_  
N. Y. Herald Tribune \_\_\_\_\_  
N. Y. Mirror \_\_\_\_\_

Date: 8.22.55

LOSURE

100-391697-163

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Orig & dupli  
1 - Mr. Nichols  
1 - Mr. Boardman  
1 - Mr. Belmont  
1 - Section Tickler  
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1 - Yellow  
1 -   
August 25, 1955

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b7c

THE ATTORNEY GENERAL

*copy*  
DIRECTOR, FBI

HERBERT L. PACKER  
FUND FOR THE REPUBLIC

By memorandum dated April 29, 1955, captioned "Fund for the Republic; Georgetown University," you were advised that information had been received that the Deans of the Law School and the Graduate Law School of Georgetown University had been contacted by the Fund for the Republic and requested to conduct a research study, looking into the reliability of pertinent Government witnesses used in security-type cases such as Elizabeth T. Bentley, Louis F. Budenz, and Whittaker Chambers. Also by memorandum dated June 2, 1955, you were advised that information had been received that Georgetown University definitely turned down the project. (100-391697-85, 101)

For your information, an article in the August 22, 1955, issue of the "Washington Post and Times Herald" captioned "Republic Fund Helps Stanford Study Witnesses' Testimony on Communism," related that the Fund for the Republic had given the School of Law at Stanford University a \$25,000 grant to study and analyze the testimony of leading witnesses on Communism. The article further related that the study will be directed by Herbert Packer, a member of the New York and Supreme Court Bars, who will work in Washington until January 1, 1956, and later as a member of the Stanford faculty.

A review of the records of this Bureau has been conducted concerning Herbert L. Packer and no investigation or identifiable derogatory information is reflected concerning him. Our records indicate Packer is a member of the Fund for the Republic's four-man Advisory Committee on Case Studies in Personnel Security.

Martindale-Hubbell Law Directory, 1955, reflects that Packer was born in Jersey City, New Jersey, on July 24, 1925; received B.A. and LL.B. degrees from Yale University in 1944 and 1949, respectively; was an Assistant Instructor in Law at Yale University during 1948 and 1949; was admitted

MSC:dae/lmm

(11)

Cover memo Belmont to Boardman 8/24/55  
same caption, MSC:dae

FOR APPROVAL  
SENT DIRECTOR  
8-27-55

~~CONFIDENTIAL~~

DECLASSIFIED BY 2028/5731ap

7-21-89

*Memorandum for the Attorney General*

to the New York Bar in 1950; and is currently an associate member of the law firm of Cox, Langford, Stoddard and Cutler, 1625 Eye Street, Northwest, Washington, D. C.

The search of our records concerning Packer revealed that Oscar Cox, a member of the above law firm, is the subject of a closed security-type investigation instituted in February, 1954. The investigation revealed that Oscar Cox, Assistant Solicitor General during 1942 and 1943, signed a letter of recommendation for Henry Hill Collins, Jr., in behalf of Collins' efforts to secure an army commission in 1943; entertained the Harry Dexter Whites at dinner in February, 1946, and March, 1947; was listed in the personal address book of Allan R. Rosenberg in 1946; and was listed in the personal records and notes of David R. Wahl in 1947. Henry Hill Collins, Jr., Harry Dexter White and Allan R. Rosenberg have been identified as formerly involved in Soviet espionage. David R. Wahl has been identified as a member of the Communist Party in the late 1930's and as an associate of members of the Silvermaster espionage group which operated in Washington, D.C., and New York City in the early 1940's.

1 - Mr. William P. Rogers  
Deputy Attorney General

1 - Assistant Attorney General  
William F. Tompkins



SEARCH SLIP

Subj: Parker, Herbert

Supervisor \_\_\_\_\_

Room \_\_\_\_\_

R# \_\_\_\_\_ Date 8/22

Searcher Initials 892

FILE NUMBER

SERIAL

	<u>FILE NUMBER</u>	<u>SERIAL</u>
NT	100-118-446	
LT	100-69785-2	
NT	100-46808-78	
NR	100-111004-3	
NR	101-16-10-148	NT NT p 24, 25, 26

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DATE 7/26/89 BY 88571/08

4-22 (6-15-55)

Federal Bureau of Investigation  
Records Section

\_\_\_\_\_, 1955

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☒ All References  
☐ Subversive References  
☐ Main \_\_\_\_\_ References Only  
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☒ Breakdown ☐ Buildup ☐ Variations  
☐ Exact Name Only  
☐ Exact Spelling  
☐ Check for Alphabetical Loyalty Form

SUBJECT Proctor, Herbert  
Address \_\_\_\_\_

Localities \_\_\_\_\_

Birthdate & Place \_\_\_\_\_

R# \_\_\_\_\_ Date 8/22 Searcher Initial 892  
FILE NUMBER SERIAL

	<u>Herbert L.</u>
<u>I</u>	<u>62-60527-38568 Sum 6/7/54</u>
	<u>Herbert</u>
<u>NR</u>	<u>100-294511</u>
<u>NR</u>	<u>100-294511-18 Sum 3/11/52</u>
<u>NR</u>	<u>100-3587-277</u>
<u>NI</u>	<u>100-20503-2287</u>
<u>NR</u>	<u>100-3-10-1771-48.1017</u>
<u>NR</u>	<u>100-111004-1, 2, 5</u>
<u>NI</u>	<u>100-151262-1</u>
<u>NP</u>	<u>100-179137-2</u>
<u>NR</u>	<u>100-344537-45, 272, 167</u>
<u>NR</u>	<u>101-69785-2</u>
<u>NR</u>	<u>[Redacted]</u>
<u>NR</u>	<u>96-0-39442</u>
<u>NI</u>	<u>100-190625-1181, 1233</u>
<u>NR</u>	<u>Herbert (vnu)</u>
<u>NR</u>	<u>100-344537-89 p. 3, 4, 21</u>
	<u>H. L.</u>
	<u>NR</u>

b7D

## Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. L. V. BOARDMAN *LB*DATE: September 1, 1955 *Ans*FROM : MR. A. H. BELMONT *AB*SUBJECT: REPORT BY ROWLAND WATTS ON  
ARMY SECURITY

Tolson	_____
Boardman	_____
Nichols	_____
Belmont	_____
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Gandy	_____

SYNOPSIS:

With reference to my memorandum of 8-12-55, study of captioned report and review of Bufiles on author are now completed. Results set forth. Watts' report was supported by grant-in-aid from Fund for the Republic and released by Workers Defense League (WDL), Socialist defense movement organization of which Watts has been National Secretary since 1947. The report of more than 250 pages is divided into 2 volumes. The first volume contains author's study, analysis and conclusions concerning Army Military Personnel Security Program as it affects draftees; laws and regulations governing the program and copies of forms referred to in the study. The second volume contains case studies in outline form of 49 out of 110 cases reviewed. The scope of inquiry was confined solely to draftees, excluding doctors and dentists; cases are supposed to be geographically distributed throughout United States; 43 lawyers were interviewed and information was obtained from 28. In no instance does author identify case subject and attorney by name, give exact date of alleged activities or identity of city or Communist Party club by name. Case number 7 mentions names of two witnesses, David Reisman and Norman Thomas. Bufile check on Reisman failed to identify case. Thomas not checked due to voluminous references. Three references to FBI appear in second volume. These references appear in draftee's answer to allegations and information developed at hearings and do not appear to be criticisms of FBI. One statement was incorrect. References to FBI set forth in full in details. Watts was born 11-17-12 at Baltimore, Maryland; was admitted to Maryland Bar in 1938 and was engaged in private law practice in Maryland from 1938-42. In 1942 he was President Maryland Council for Conscientious Objectors. He was committed to conscientious objectors camp for 6 months, in Maryland, and 2½ years in Connecticut. In February, 1946, he started employment with WDL. Attached memorandum for dissemination contains foregoing biographical data; background information concerning WDL; brief synopsis of 1950 investigation of Watts and two associates in WDL for alleged impersonation.

ENCLOSURE

EJT:mip (10)

- 1 - Mr. Nichols
- 1 - Mr. Boardman
- 1 - Mr. Belmont
- 1 - Mr. Rosen
- 1 - Internal Security
- 1 - sect. tick.
- 1 - Mr. Landis
- 1 - [redacted]
- 1 - 100-391697

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Memorandum to Mr. Boardman

of FBI Agents while conducting investigation for WDL regarding forced labor conditions in Florida, which investigation resulted in prosecution being declined because of insufficient evidence of positive nature indicating a violation of Impersonation Statute; information received from informants and public sources from 1947 to 1955 reflecting Watts' affiliation with organizations cited by the Attorney General, particularly organizations of Trotskyite origin (this included his participation in the presentation of these organizations' views to Department to have organizations removed from Attorney General's list, raising defense fund for that purpose, etc.); and miscellaneous activities such as his participation in anticonscription demonstration in 1947, his representation of seamen screened off merchant ships as subversive from 1951 - 1954 and his status as 1952 officer of War Resisters League, pacifist organization. Bufiles also reflect information of nondisseminable nature either because of question of identity or because information deals with Watts' relations with Bureau. Watts has been extremely critical of Bureau on number of occasions. On 5-17-50 New York Office was instructed that officials and personnel of WDL were not to be interviewed without Bureau authority. When interviewed in 1952-53 security case which had been opened on basis of complaints made by Watts, Watts furnished nonspecific information that individual was pro-Communist and had a close associate and neighbor who had a brother and wife who reportedly had Communist associations, thus Watts based his complaints on very items for which he criticized Army program in current report. As Watts' report deals entirely with military program affecting draftees no attempt was made to make complete analysis. Observations based on correlation of file review concerning author and review of his report are set forth in details.

RECOMMENDATION:

Attached is a yellow of a replimat of a memorandum, containing information suitable for dissemination, on Watts, which, if approved, will be disseminated to the Attorney General, Deputy Attorney General Rogers, Assistant Attorney General Tompkins and G-2, by letters of transmittal which will show that Watts' study was financed by the Fund for the Republic.

DETAILS:

Reference is made to my memorandum to you dated August 12, 1955, wherein I advised that in accordance with Mr. Nichols' request the 250-page report by Rowland Watts on Army Security had been obtained

Memorandum to Mr. Boardman

from G-2 and was being studied by the Liaison Section. The study of Watts' report and a review of all references to Watts in Bufiles has now been completed and the results are hereinafter set forth.

BACKGROUND FOR WATTS' REPORT:

According to the annual report of the Fund for the Republic dated May 31, 1955, that organization authorized in November, 1954, \$115,000 for fellowships and grants-in-aid for work in areas of the Fund's interest. One of the persons receiving a grant from this Fund was Rowland Watts, National Secretary of the WDL, an organization which has acted as the defense movement of the Socialist Party, for a study of undesirable discharges of drafted servicemen based on allegations regarding preinduction activities and associations. In a prefatory note the author gratefully acknowledges this assistance. August 4, 1955, newspaper clippings which announced the release of the report described it as the first comprehensive private study ever made of the Army's security program for draftees. The report was released by WDL, 112 East 19th Street, New York City.

In the preface the author states that the study was undertaken as an outgrowth of his experience in the private practice of law in Baltimore, Maryland, and as National Secretary of the WDL; that he had been assisted in it by several score attorneys throughout the country who had made their files, experience and time available to him. The author claims that the report is a study of the effect on draftees under the Universal Military Training and Service Act, as amended, of the Army Personnel Security Program specifically concerned with SR600-220-1 and related regulations; the examination of the legal basis for this program; the administrative application of it and some of its practical outcomes; and while its analysis and conclusions are implicitly suggestive of changes in the program, it is not an attempt to devise a security program which might be conformable to civil rights. The report is divided into two volumes which will be hereinafter described.

"The Draftee and Internal Security":

This volume makes no reference to the FBI but drastically criticized the Department of the Army concerning every detail of its handling of its security program concerning the draftee from the time of his induction until his discharge. It contains the author's study, analysis, and conclusions of the Army Military Personnel Security program as it affects draftees; excerpts from various laws and



Memorandum to Mr. Boardman

regulations governing the program such as SR 600-220-1 (criteria), espionage laws - Section 793, 794, Executive Order 10450 and Public Law 773 - 81st Congress; and such forms as the Loyalty Certificate for the Personnel of the Armed Forces (Form DD 98) and the form setting forth Veterans' Rights and Benefits (DD-214-1).

Watts states that the scope of inquiry was confined solely to draftees, excluding persons drafted under the doctors and dentists draft; 110 cases were examined, 87 in detail and partial information was obtained in others; cases were geographically distributed throughout the United States; 12 cities were visited; 43 lawyers were interviewed and pertinent information obtained from 28 of them. The author states that every effort has been made to preserve anonymity of the attorney and his client and it is noted that in no instance does he mention any of the case subjects or counsels by name nor does he name the city or branch of an organization with which case subjects were affiliated or give the date of subject's affiliation. Because of this, it is not possible to identify any of the cases mentioned with current or past Bureau cases. In view of this fact and the fact that Watts' study deals entirely with the handling of security cases by the military, no attempt is being made to make an analysis of the truth or falsity of his report.

"Appendix C to the Draftee and Internal Security":

This volume contains in outline form the results of 49 case studies of draftees investigated by the Army under the Universal Military Training and Service Act. In general the case studies report the date of induction (month and year); information regarding the signing of Loyalty Certificate DD 98 (lists Attorney General's organizations); a summary of draftee's military career; a summary of the allegations and the date on which they were given to the draftee; draftee's answer or information concerning the hearings; type of discharge and date and subsequent appeal actions. The names of Professor David Reisman, University of Chicago and Norman Thomas were set forth as witnesses in case number 7 of this volume. Bureau file references concerning Professor David Reisman were checked but failed to contain any information that would identify that case. The name of Norman Thomas was not checked due to the voluminous references to him in Bufiles.

This volume mentions the FBI on pages 38, 39, and 155. It is noted that these references to the FBI appear in the draftee's answer to the allegations or in information developed during the hearings and do not appear to be criticisms of the FBI. These references are being set forth in detail: (1) Case number 11. In answer to allegations

Memorandum to Mr. Boardman

that he had claimed membership in an organization cited by the Attorney General; draftee stated "I have never been a member, nor have I to the best of my knowledge claimed membership in this organization, or any organization outlined as subversive by the Attorney General or the FBI." This statement, is, of course, incorrect as the FBI does not outline any organization as subversive.

(2) Case number 11. At his first hearing during August, 1954, in answer to the allegation that he had carried on extensive correspondence with individuals and organizations in foreign countries, including the U.S.S.R. and its satellites, draftee put in evidence a validated Merchant Seaman card and stated "Before I received that card I talked to an FBI agent, Mr. \_\_\_\_\_. At that time he told me he saw no reason why I should stop corresponding as he saw no harm in this corresponding over seas." (3) Case number 49. Draftee who had been denied commission despite a reportedly excellent record in ROTC courses stated that at the suggestion of his college commanding officer he sought and obtained an FBI interview in which he disclosed all the information that was available to him. He then sought to enlist in the regular army and was denied enlistment.

Review of Bureau Files Concerning Watts:

In addition to the information concerning Watts which is included in the attached memorandum for dissemination, Bufiles contain considerable information which is not set forth for dissemination because there is a question concerning positive identity and the reliability of the source in one instance is unknown; or the information deals with Watts' relations with and criticisms of the Bureau.

Information About Which There is a Question of Identity:

Roland Watts, President, Baltimore Peace Congress, was listed among the speakers on the program for a conference on democratic rights, which was held on June 14 and 15, 1940, in Baltimore, Maryland; and was called by the Maryland Association for Democratic Rights, an affiliate of the National Federation for Constitutional Liberties, which has been cited by the Attorney General. (100-1170-73 p. 6)

In May, 1943, the Baltimore Field Office opened a Custodial Detention - C case based on information furnished by Henry H. Rippeger (not further identified) that one Rowland Watts had been an officer of the Communist Party of Baltimore. Investigation was closed when it was learned Watts had been inducted into a conscientious objectors camp on December 26, 1942. Subject of this case is probably identical

with the subject of instant memorandum but there is no positive proof of this in Bufiles. (100-207480)

Relations With and Criticisms of the Bureau:

A number of civil rights and domestic violence cases have been opened by the Bureau on the basis of information furnished to the Bureau or the Department of Justice by Watts as a representative of the WDL. (44-1706; 50-1945, etc)

On March 26, 1946, former Special Agent Walter Dence, who was at that time practicing law in Miami, Florida, advised the SAC at Miami that Watts had contacted him to retain his law firm to represent the WDL and a civil rights victim in civil action against the sheriff of Leesburg, Florida. Watts advised Dence that at the request of the WDL a civil rights investigation had been conducted by the FBI and that a Special Agent of the FBI had contacted the victim's wife and intimidated her to such an extent that she felt it was necessary to leave the State of Florida. (A memorandum was submitted\* by the FBI Agent involved which denied intimidation of victim.) According to Watts, the WDL had tried to secure some results in this case through the FBI in Washington, D. C., but its efforts had been in vain. Watts reportedly claimed that "The FBI is rotten and needs cleaning out in Washington." (50-1945-16)

In a copy of a February 10, 1950, "Staff Report" made by Watts and issued by the WDL, Watts criticized the FBI's investigation of a peonage case in central Florida. His report read in part ". . . after 5½ months of dilatory and inept investigation by the FBI, the Civil Rights Section of the Department of Justice reported that it found no evidence of peonage in K. D. 's case." Watts report further stated that "FBI Agents -- lawyers and accountants, overworked and, almost without exception, white -- are not trained for this type of investigation. They cannot gain the essential confidence of the Negroes in the area, their activities become known, and potential witnesses are intimidated." (44-3081-1)\*\*

During the course of the FBI's investigation of Watts and two of his WDL associates in 1950 for alleged impersonation of FBI Agents while they were conducting investigation on behalf of the WDL in regard to forced labor conditions in Florida, Watts stated in an interview on March 29, 1950; that he desired to cooperate in every way with the FBI since the good work of the WDL ultimately depended

\* upon receipt of this information

\*\* upon receipt of this criticism, the Bureau case involved was identified. An inspection of that case disclosed that there was absolutely no basis for statement investigation was - 6 - "dilatory and inept."

Memorandum to Mr. Boardman

upon the investigation by the FBI and subsequent prosecution by Department of Justice. On April 12, 1950, Terrance McCarthy, one of the above-mentioned associates was interviewed by Agents of the New York Office in the presence of his attorney and Watts. Watts, McCarthy and his attorney expressed the opinion that if one tenth as much energy was expended by the FBI in investigating peonage cases as was spent in investigating instant case the FBI would meet with considerable success in remedying sociological conditions in the South. Watts also displayed to the interviewing Agents an editorial which was to appear in the Spring 1950 "Workers Defense Bulletin," WDL publication, which pertained to a prior interview of the Agents with Watts. This editorial stated in part ". . . Instead of investigating the forced labor charges, the United States has launched an immediate investigation of the Commission's investigators in Florida, where the Commission found extensive peonage, the FBI started interviewing persons - not to apprehend those who might be guilty of peonage but to attempt to build up a case against the Commission's investigators." The Commission referred to was the Commission of Inquiry into Forced Labor. The interviewing Agents pointed out to Watts that the FBI does not attempt to build up cases against anyone but seeks to impartially obtain the facts. (47-39142-37, 39)

By letter dated May 17, 1950, the SAC at New York was advised that officials and personnel of the WDL were not to be interviewed by Special Agents of the New York Office without Bureau authority. (47-39142-38)

A reliable informant of the San Francisco Office reported in March, 1951, that the San Francisco Bay Area Branch Organizer of the Independent Socialist League (ISL) had stated that the ISL had a "pipeline" into the FBI files in New York through a person by the name of Watts, an attorney for the American Civil Liberties Union in New York City. Watts allegedly was an old friend of the head of the ISL and kept him informed concerning any information he received. A technical surveillance on the WDL office from April 24, 1951, to May 21, 1951, failed to obtain any pertinent information concerning Watts' contact with any person associated with the FBI or the Department of Justice. A Detroit informant also furnished a similar claim made at a Detroit Branch meeting of the ISL on January 28, 1954. New York teletype dated February 5, 1954, stated claim of "pipeline" had no basis and apparently was made by Watts simply because he had on one occasion furnished information to New York FBI. [redacted] b7D  
[redacted] 100-86590-47-58; 100-86590-34-145, 145X, 152, 153, 155; 100-86590-773X2, 100-375861-15, 16)

By letter dated January 25, 1951, the New York Office advised that on January 10, 1951, Watts visited that office to furnish information concerning one Dr. Leon Luria whom Watts charged with

Memorandum to Mr. Boardman

aiding Communist seamen to penetrate Coast Guard screening of subversive seamen. The New York letter pointed out that Watts and the WDL had criticized the Bureau in the past and manifested irresponsibility so that New York Agents had limited themselves to receiving such information as Watts saw fit to furnish and had deliberately avoided conveying the impression that Watts and the WDL had been cooperating with the Bureau. (100-86590-47 -58)

During a 1952-53 Security Matter - C investigation of William Boris Harris, an Atomic Energy Commission (AEC) employee and one of Watts' neighbors, authority was granted to interview Watts inasmuch as he was the original complainant who had furnished information to AEC. When interviewed Watts stated he considered Harris to be a Communist, but could furnish no specific statements concerning this. He stated Harris appeared pleased over United Nations' and United States' losses in Korea; that he had aligned himself with a pro-Communist group in the cooperative in which they both lived; that a close neighbor and associate of Harris had a brother who was active in the National Lawyers Guild, which Watts considered to be "left wing", and a wife who Watts recalled had admitted to him at a New Year's Eve party, where both had been drinking, that she had been a member of the Young Communist League but was no longer a member. Watts stated that he, himself, was one of several outspoken anti-Communists in the cooperative and that Harris always seemed to oppose him in membership and board of directors meetings. Watts advised he realized his statements were very nonspecific and very general but in his own mind he was convinced that Harris and the neighbor were either Communists or very sympathetic to the Communists. Watts stated he did not wish to furnish any signed statement nor did he desire to appear before any Loyalty Hearing Board. During this investigation three additional neighbors of Harris also furnished nonspecific complaints alleging that Harris might be sympathetic to Communism. No removal action was taken against Harris as none of the complainants would appear before AEC Personnel Security Board. (116-46872-17 p.4, 9)

Observations:

No attempt has been made to make a page by page analysis of this report, however, the following observations based on a correlation of the file review concerning the author and the review of his report are being set forth as worthy of note:

(1) The introduction to Watts' report begins with the following statement and very definite conclusion which immediately alerts the reader to the fact that his report will not be favorable or fair to the Army: "A careful study of the Army Military Personnel



Memorandum to Mr. Boardman

Security program and its application to inducted men makes it difficult to avoid the conclusion that the ideal draftee is an only child of spontaneous generation who, despite a hermit childhood, has miraculously acquired the ability to read and write English but has never made use of these useful skills."

(2) Watts appears to begin his case study report with the same idea of prejudicing the reader. For example, in case number 1 he reports that that case is still pending and counsel was unwilling to make the complete file available to him but would authorize the use of one allegation. That allegation reads "You have a father who is reported to, have said that if Communism offered anything good he would accept it."

(3) On page 27 of the study the author contends that each allegation like a count in an indictment should be capable of standing alone; and if it has no probative force in itself it cannot add probative force to others. He then sets forth 14 pages of allegations, broken down under classifications including such headings as Communist Party, Publications, Family Relationships, Executing Loyalty Certificates and Miscellaneous, etc. By setting forth these allegations in this manner, one allegation sometimes appears very trivial, whereas when all allegations concerning a particular case are set forth together they reflect considerable activities of a derogatory nature. For example, in case number 41 the fact that the draftee listed character references who were affiliated with Communist fronts would not be sufficient derogatory information to cause him to be given an "undesirable" discharge; However, a study of his case reflects 17 allegations concerning the draftee himself including Communist Party membership, membership in cited organizations, and refusal to sign the Loyalty Certificate claiming the Federal Constitutional Privilege. In cases number 15 and 18 where allegations did not pertain to the draftee, draftee was given an "honorable" discharge in one instance and a "general" discharge under honorable conditions in the other.

(4) Watts criticized the Army for not securing accomplishment of the Loyalty Certificate form prior to induction and for failure to reject inductions on the basis of subversive connections indicated on that form or on the basis of information which Army investigations reflect was gained prior to the draftee's induction into the Army. Watts contends that there is no justification for granting discharges based on anything other than activities while in the Army and the character of service rendered. He states that preinduction and post-service activities should not determine the nature of the discharge.

Memorandum to Mr. Boardman

(5) The report is very critical concerning the use of Attorney General's list of subversive and Communist organizations as a yardstick of loyalty claiming that its validity is open to question because cited organizations were not afforded a hearing prior to having been listed. Watts also criticizes the application of the Executive Order 10450 to draftees claiming that it was meant for civilians and not meant for draftees. In this connection it is noted that Watts was active in the fight to have certain organizations removed from the Attorney General's list, particularly organizations of Trotskyite origin. Eleven of the 49 case studies contained allegations of membership in one or more of the organizations with which Watts has worked and these cases were usually set forth in much more detail than the other cases.

(6) In some instances Watts states "While most of the information in the G-2 Summary of Information cannot be divulged at this time, one item is of particular interest." He then relates some ridiculous allegation which would obviously prejudice the reader. Case number 33 is a good example of this technique.

(7) In case number 35 no allegations were served against the draftee and it was apparently assumed that he had been classified a security risk because the draftee had complained that for 15 months of his military career he was continued at the same post where inducted performing routine nonimportant duties.

(8) Watts criticized the Army program for using nonspecific charges, for determining "guilt by association" and using unidentified sources; yet, when (as previously reported) he was interviewed concerning an AEC employee about whom he had originally complained, he was guilty of these same techniques.

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1 - Mr. Boardman  
1 - Mr. Belmont  
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September 15, 1955

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THE ATTORNEY GENERAL

DIRECTOR, FBI

ROWLAND WATTS  
FUND FOR THE REPUBLIC

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ON

Information has previously been furnished you concerning the officers and activities of the Fund for the Republic. According to a May 31, 1955, report of the Fund, it authorized in November, 1954, the sum of \$115,000.00 for a program of fellowships and grants-in-aid to turn the attention of scholars to problems of special concern to the Fund. Rowland Watts, National Secretary of the Workers Defense League, a defense movement of the Socialist Party, received one of the grants-in-aid for a study of "undesirable" discharges of drafted servicemen based on allegations regarding preinduction activities or associations. A two-volume report by Watts setting forth the results of his study of the effect on draftees of the Army Military Personnel Security Program was released on August 4, 1955, by the Workers Defense League. These volumes were entitled "The Draftee and Internal Security," and "Appendix to the Draftee and Internal Security."

Watts was born November 17, 1912, in Baltimore, Maryland. He was admitted to the Maryland Bar in 1939 and since 1947 he has been National Secretary of the Workers Defense League, which has headquarters at 111 East 19th Street, New York City. Watts served a three-year term as a conscientious objector during World War II; participated in anticonscription activities in 1947; was affiliated with a pacifist organization in 1952; has been active in the campaign to have organizations of Trotskyite origin removed from the Attorney General's subversive list; and between 1951 and 1954 he represented seamen who had been screened off merchant ships as security risks.

Enclosure

COMM FBI

SEP 16 1955

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NOTE: Attached memo was previously approved for dissemination to Attorney General, Deputy Attorney General Rogers, and Assistant Attorney General Tompkins in accordance with the recommendation in memo from Belmont to Boardman dated 9/1/55, captioned "Report by Rowland Watts on Army Security."

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Boardman  
Nichols  
Belmont  
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Parsons  
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Memorandum for the Attorney General

In the Spring of 1950 this Bureau conducted an investigation concerning Watts and two of his associates in the Workers Defense League for allegedly representing themselves as FBI Agents while they were conducting investigations for the League regarding forced labor conditions in the State of Florida. Prosecution was declined because investigation failed to develop sufficient evidence of a prosecutive nature indicating a violation of the Impersonation Statute. Reports reflecting the results of this investigation captioned "C. Leroy Hacker; Terrance McCarthy; Rowland Watts, with alias, Rowland Watts - Impersonation," were furnished the Department in April and May, 1950.

For your information, there is enclosed a detailed summary memorandum which reflects information in our files concerning Rowland Watts.

1 - Mr. William P. Rogers (with enclosure)  
Deputy Attorney General

1 - Assistant Attorney General (with enclosure)  
William F. Tompkins

Mr. Nichols

September 6, 1955

M. A. Jones

FULTON LEWIS, JR., RADIO BROADCAST  
SEPTEMBER 6, 1955

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DATE 7/26/89 BY 28807/1

Mr. Lewis devoted part of his broadcast to a discussion of the Fund for the Republic. Lewis explained that his mail staff had received inquiries as to why he (Lewis) kept saying that the money given to the Fund for the Republic by the Ford Foundation belonged to the general public. Lewis commented that the answer lies in the source of the money, that 89 1/2 per cent of the Ford Motor Company stock (which is non-voting) was given to the Ford Foundation and hence is free of taxes. Only some 10 per cent of the Ford estate is hence subject to taxes. Lewis said that since the money is tax free it was, by law, ostensibly being given for all the people. In this sense, Lewis said he meant that the money belonged to all the people. In fact, according to Lewis, the law requires the signing of a statement of justification by such organizations before the Bureau of Internal Revenue which must pass upon the statement. Lewis said unfortunately the statements of justification are confidential. He added that the citizen ought to know if the money which is tax free is being properly spent.

Mr. Lewis then read from the law which sets forth the conditions under which such foundations must operate in order to secure tax exemptions. This provided, among other things, that the money should not go for propaganda or be used for political purposes.

Mr. Lewis then commented that last week he started reading a list of projects taken from the Fund for the Republic's Annual Report but had become sidetracked in a discussion of the American Legion in Illinois and an "outfit" called the American Heritage Council of Chicago. He said that he had discovered the fact that the American Legion is not in on the project at all. He then read a list of projects being sponsored by the Fund for the Republic. At the conclusion of the broadcast, Lewis said he would be interested in knowing how many of these projects were of benefit to the tax payers, and he wondered if his listeners felt there were any political or legislative propaganda connotations involved in them.

RECOMMENDATION:

None. For your information.

cc - Mr. Nichols  
cc - Mr. Boardman  
cc - Mr. Belmont  
cc - Mr. Jones

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(7)

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Holloman \_\_\_\_\_  
Gandy \_\_\_\_\_

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# Office Memorandum • UNITED STATES GOVERNMENT

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Ladd	
Mr. Clegg	
Mr. Glavin	
Mr. Harbo	
Mr. Rosen	
Mr. Tracy	
Mr. Egan	
Mr. Gurnea	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Tele. Room	
Mr. Holloman	
Miss Gandy	

TO : Director, FBI  
 FROM : SAC, New York (62-11595)  
 SUBJECT: WILBUR HUGH FERRY, aka Ping Ferry  
 THE FUND FOR THE REPUBLIC  
 INFORMATION CONCERNING

DATE: 9/2/55

INDEXED 8

There is attached for the attention of the Bureau an article by GEORGE E. SOKOLSKY appearing in the 8/30/55 edition of the "New York Journal American", entitled "A One-Sided Tax Free Fund", in which the subject is mentioned.

Article

Enc. 1

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**THESE DAYS:**

## **A One-Sided Tax Free Fund**

By **GEORGE E. SOKOLSKY**

**T**HE Fund for the Republic was established by the Ford Foundation and was given \$15,000,000 which Paul Hoffman, Robert Hutchins and W. H. Ferry, together with a front of trustees, were to spend for general purposes. The Ford Trustees stated:

"The Foundation will support activities directed toward the elimination of restrictions on freedom of thought, inquiry, and expression in the United States; and the development of policies and procedures best adapted to protect these rights in the face of persistent international tension."

Nobody can object to any group fighting for civil liberties of various kinds and a great many organizations exist for such purposes in the United States; as, for instance, the American Civil Liberties Union, the Anti-Defamation League, the National Association for the Advancement of Colored People, etc., etc. These organizations have been long in existence and, preferred or opposed, they are well-known and understood.

The difference between these bodies and The Fund for the Republic, which the Ford Foundation established, is that whereas all the others are voluntary organizations of citizens who believe in a cause and set themselves up to fight for it and are subject to the criticism of their members and the withholding of support, The Fund for the Republic, on the other hand, consists of trustees and a hired office staff who are subject to no control, have no members, and have an enormous treasury which is income-tax free.

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DATE 1-26-89 BY 88573/28

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FROM

NY JOURNAL AMERICAN

DATED Tuesday, August 30, 1955

FORWARDED BY N. Y. DIVISION

ENCLOSURE

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## A List of Books

The actual manager of this operation is a former newspaper man, W. H. Ferry, familiarly known as "Ping" Ferry. "Ping" Ferry is reputed to be fanatically enthusiastic about whatever he does and has turned The Fund for the Republic into a kind of actions committee whose pattern may best be discerned by the following list of books, articles and other material which it has distributed widely with the object of influencing public opinion:

"Banned Books" by Anne Lyon Haight. Book. 275 distributed to May 31. Librarians and library trustees.

"Bulletin of the Atomic Scientists." Special issue on loyalty-security. 25,000 copies. Lists selected by publisher.

"Cornell Series in Civil Liberties." Books. Cornell University Press. Fund personnel lists selected by publisher.

"Faceless Informers and Our Schools" by Lawrence Martin. Pamphlet. Denver Post. 25,000 copies. State School Board Associations.

"Freedom Award Speeches." Pamphlet. Freedom House. 600 copies. National Civil Liberties Clearing House.

"Government by Investigation" by Alan Barth. Book. 850 copies. Lists selected by publisher.

"Grand Inquest" by Telford Taylor. Book. 45 copies. Federal Bench.

"Open Occupancy Housing." Article. "House and Home." 15,000 copies. National Committee Against Discrimination in Housing; others in race relations field.

"See It Now." Murrow-Oppenhimer television interview. One hundred ten 16 mm. prints. Educational institutions; civic organizations; local discussion groups.

"See It Now." Television program on book censorship in California. Five 16 mm. prints. Southern California civic groups.

"Strong in Their Pride and Free" by Harry P. Cain. Speech. 3,000 copies. National Civil Liberties Clearing House.

## It's All One-Sided

"The Fifth Amendment Today" by Erwin N. Griswold. Book. 35,000 copies. Bench and bar.

"The Kept Witnesses" by Richard H. Rovere. Article. Harper's. 25,000 copies. Labor officials; business executives.

"The Pseudo-Conservative Revolt" by Richard Hofstadter. Article. American Scholar. 25,000 copies. Business executives; educators; Churchmen.

"To Insure the End of Our Hysteria" by Paul G. Hoffman. Article. The New York Times Magazine. Emergency Civil Liberties Committee; American Dental Association.

"To Make Our Security System Secure" by Vannevar Bush. Article. The New York Times Magazine. 10,000 copies. Educators.

"Who 'Collaborated' with Russia?" by Paul Willen. Article. Antioch Review. 600 copies. National Civil Liberties Clearing House.

The list is all one-sided. It is anti-FBI, anti-Congressional Committees investigating subversives. Certainly any citizens can be anti-FBI and anti-Congressional Committees. But the question arises: If rich corporations can set up tax-free foundations to propagate a particular point of view, is there not a possibility of limiting freedom of debate because no tax-free money is available for another point of view?

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TITLE

CLASS

From

NY JOURNAL AMERICAN

DATED Tuesday, August 30, 1955

FORWARDED BY N. Y. DIVISION

Mr. Nichols

September 15,  
1955

M. A. Jones

FULTON LEWIS, JR.  
RADIO BROADCAST  
SEPTEMBER 14, 1955

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/89 BY 2038 BTJ/cfp

Fulton Lewis, Jr., in his radio broadcast for September 14, 1955, devoted approximately 6 or 7 minutes to his study of the Fund for the Republic and indicated he wanted to set forth the following example of what the Fund is doing with its \$15,000,000 it received from the Ford Foundation in tax-exempt money. He made reference to Robert Hutchins, President of the Fund, and the annual report, which was made public several weeks ago, of the Fund for the Republic. He quoted Hutchins as saying "To dramatize the progress made in upholding Civil liberties the Fund for the Republic gives prizes to persons, organizations and communities that have distinguished themselves by the stand they have taken."

He then referred to the hearings on May 21, 1953, before the Senate Internal Security Committee in Washington, D. C., and Herbert Philbrick, former Bureau informant who, in testifying ~~before the same committee~~, identified Mrs. Mary Knowles as Secretary of the Samuel Adams School in Boston, Massachusetts, which was controlled by members of the Communist Party. Lewis stated that at the May 21 meeting of the committee, Mrs. Knowles was placed under oath, advised of Philbrick's testimony against her and afforded an opportunity to deny that testimony. The first 2 specific questions put to her were: (1) Are you a member of the Communist Party? and (2) Have you attended cell meetings of the Communist Party in Boston with Herbert Philbrick? On both questions, Mrs. Knowles refused to answer on the grounds of self-incrimination and the Fifth Amendment, and she did likewise on 3 additional questions along the same general lines.

As a result of her testimony, Mrs. Knowles was let out of her job as a librarian at Norwood, Massachusetts, but subsequently she got a job as a librarian at the William Deans (phonetic) Memorial Library which is owned and operated by the Quaker Monthly Meeting in Plymouth Meeting, Pennsylvania, which is near Philadelphia. The actual employment for that job was done by the library committee of Plymouth Meeting, and the action immediately brought forth a storm of protest from the leaders of that Quaker community. The Plymouth Township School

Board forbade school teachers to take children to the public library, 3 members of the library committee itself resigned, financial support for the township was cancelled, and resolutions were passed by the local

cc - Mr. Nichols  
cc - Mr. Boardman  
cc - Mr. Belmont  
cc - Mr. Jones

GMP:mma:ekk

INDEXED - 71

100-391497-168  
NOT RECORDED  
199 SEP 19 1955

68 SEP 21 1955

ORIGINAL COPY FILED IN

Memo to Mr. Nichols

September 15, 1955

chapters of the American Legion and the DART calling for her dismissal.

Lewis continued that in the light of all of this the Fund for the Republic surveyed the situation, and under the policy mentioned above, Dr. Robert Hutchins announced a special \$5,000 award to the Quaker Monthly Meeting "for courageous and effective defense of Democratic principles in refusing to fire Mrs. Knowles." Hutchins said that the award was being made because the Fund for the Republic hopes that the example set in this case will be followed elsewhere in America, particularly when our libraries, which seem to be a special target of self-appointed censors and amateur loyalty experts, are involved.

Lewis then pointed out that it so happens that it was not the Quaker Monthly Meeting that had hired Mrs. Knowles and refused to get rid of her but the library committee and the Quaker Monthly Meeting, to which the \$5,000 check was made out, thus far has refused to accept the check and has not cashed it. Lewis pointed out that that has nothing to do with the philosophy or intent of Dr. Hutchins and that Hutchins still thinks that it was a great act of patriotism and public service for a library committee to hire an accused Communist, and Hutchins still thinks it is worthy of a \$5,000 prize.

Lewis further stated that Mrs. Eleanor D. Stevenson, wife of the President of Oberlin College in Ohio and a member of the Board of Directors for the Fund for the Republic, was designated to make the award personally. In attempting to do so, she said she wanted to make it clear that the gift was in tribute to the Quakers for their realization for whatever Mrs. Knowles' past associations may or may not have been, she is a loyal American and a highly qualified librarian who has every right to earn a living and to be treated with respect accorded a human being in these United States.

Lewis stated that if Mrs. Knowles has reformed really and is no longer a Communist, all is well and good, however, tomorrow Mrs. Knowles, now of Plymouth Meeting, Pennsylvania, will appear once again under oath before the same Senate Internal Security Committee to be asked again whether she is a member of the Communist Party and thus will be given an opportunity to establish her loyalty and patriotism. Lewis stated that it will be interesting to see what her answer will be. He cites this as another example of the project upon which the \$15,000,000 of Ford Foundation money is being spent by the Fund for the Republic under the leadership of Dr. Hutchins and a swastbuckling young Vice President, W. H. Murray.

RECOMMENDATION:

None. For information.

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson */per DS*

FROM : L. B. Nichols *Viny*

SUBJECT: *7-26-55* FUND FOR THE REPUBLIC

DATE: Sept. 6, 1955 *Ans 6-1*

Tolson \_\_\_\_\_

Boardman \_\_\_\_\_

Nichols \_\_\_\_\_

Belmont \_\_\_\_\_

Harbo \_\_\_\_\_

Mohr \_\_\_\_\_

Parsons \_\_\_\_\_

Rosen \_\_\_\_\_

Tamm \_\_\_\_\_

Sizoo \_\_\_\_\_

Winterrowd \_\_\_\_\_

Tele. Room \_\_\_\_\_

Holloman \_\_\_\_\_

Gandy \_\_\_\_\_

Former Inspector Lee Pennington called today advising that the Illinois Department of the American Legion had passed a Resolution last Saturday requesting Congress to take away the tax-exempt status of the Fund for the Republic. Pennington stated the Legion people are quite exercised over the statements of the Fund that it would investigate the FBI and the American Legion and that word had been passed on by the Legion to Fulton Lewis. Fulton Lewis referred to the Illinois Department of the Legion contemplating passage of such a Resolution in his broadcast on the night of September 5. Pennington, of course, is very pleased with the action of the Legion in doing what it can to take the sails out of the Fund for the Republic.

cc: Mr. Boardman

Mr. Belmont

JJM:arm

(4)

SEP 22 1955

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/83 BY 2538/BJ

420204-1  
100-391697-169  
SEP 8 1955

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typed

CAUTION  
FBI



## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: August 26, 1955

FROM : M. A. Jones

SUBJECT:

FULTON LEWIS, JR.  
BROADCAST, 7:00 PM  
AUGUST 26, 1955  
FUND FOR THE REPUBLIC

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/82 BY SP-6 BJA/ODD

Tolson \_\_\_\_\_  
Boardman \_\_\_\_\_  
Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Harbo \_\_\_\_\_  
Mohr \_\_\_\_\_  
Parsons \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tamm \_\_\_\_\_  
 Sizoo \_\_\_\_\_  
Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holloman \_\_\_\_\_  
Gandy \_\_\_\_\_

On his broadcast tonight, Lewis described the Fund as the "slush fund for left wing political propaganda." He said he had further developments to report. He said there had been a \$25,000 grant to Leland Stanford University Law School for a so-called study on "summary of testimony of witnesses in proceedings relative to Communism." He said that is the case in which Herbert Packer of Washington is involved. He said Packer was not even a member of the District of Columbia bar and added Packer was to become a member of the Leland Stanford Law faculty on January 1 to direct the survey. He pointed out Packer was already an employee of the Fund for the Republic and that it was not the Leland Stanford University doing the study but their good name was being used. According to Lewis, Georgetown University in Washington would have no part of this survey. He said the object of the survey was an attempt to pick inaccuracies and flaws in the testimony of anti-Communist witnesses with a view to discredit the testimony and the people who gave it.

In regard to the above situation, Lewis pointed out that this Fund had not allotted any monies to review the Oppenheimer testimony before the Security Board of the Atomic Energy Commission. Instead he said the Fund had allotted \$200,000 to distribute film reprints of the Edward R. Murrow TV film which tried to glamorize Oppenheimer.

Lewis said no appropriation had been made to inquire into the motives of the people who had written the vile seditious works found in the high school libraries in California but said the Fund did approve money for reprints of the Murrow TV film which ridiculed the California housewife who conducted the campaign to have these books removed.

Lewis said that nowhere has the Fund appropriated monies for a project to find something good about American freedom and standard of living but it has appropriated \$200,000 for the very leftist Washington Post cartoonist Herblock (Lewis said the Post championed Hiss and Remington). Lewis added that Herblock was to do a nationwide TV

cc - Mr. Belmont  
cc - Mr. Nichols  
cc - Mr. Boardman  
cc - Mr. Landis (Room 7616)

RECORDED - 65

SEP 23 1955

(am)

HPL:n1

SENT DIRECTOR

8-27-55

INDEXED - 65

SEP 8 1955

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Jones to Nichols Memorandum

August 26, 1955

propaganda program this fall and winter, <sup>then</sup> pointing out that there had been no appropriation for the American Legion to do a TV program on Americanism and the rights of individuals. He said there is a project, however--I am informed by a reliable source--to investigate the Legion and the FBI on the ground they endanger the personal rights and freedoms of the individual.

Lewis said he was reading from the Fund's announced projects. He said there was a project entitled "Fear In Education" which was to be a study of high school and college teachers' attitudes.

Referring again to the Leland Stanford grant, Lewis said he had been trying to get in touch with Dean Spaeth of the University without success and had tried to call him this afternoon. He said he wanted to ask Spaeth who broached the subject of the study--was it the brain child of the Stanford Dean or was the study offered to him. He said he would ask how Packer got into the picture. Is he being attached to the Leland Stanford Law School only for making this survey and, if so, why? He wondered why the regular Stanford faculty didn't make the survey and wanted to know if the Stanford Trustees passed on the project and if not, why not? He wanted to know if Dean Spaeth would reconsider the project and take a second look. He wanted to know what qualified Packer and what purpose did the survey expect to serve.

Lewis then referred briefly to Hugh Ferry and his background and then said he would have more later on him.

He said this whole business (Fund for the Republic) was strictly the party line of the CIO Political Action Committee and spoke of Ferry's past employment with that Committee. He said that this was also the political party line of the Americans For Democratic Action.

Lewis concluded by saying that the next move would be to ask the Treasury Department and Internal Revenue some questions as to what was behind this \$15,000,000 tax-free outfit.

RECOMMENDATION:

None. For information.

*W*



Mr. Tolson	_____
Mr. Boardman	_____
Mr. Nichols	_____
Mr. Belmont	_____
Mr. Harbo	_____
Mr. Mohr	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Sizoo	_____
Mr. Winterrowd	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

8/27/55

*file* MR. BOARDMAN: *Ho*

The Director mentioned on the telephone that he wanted a detailed memorandum on the Fund for the Republic and the Ford Foundation available upon his return. He also desires that another memorandum be prepared on the Fund for the Republic setting forth derogatory information of a type which could be given out. By this, he meant information of a public source or which had been verified. This latter memorandum will be needed on or about 9/1/55, and every effort should be made to have both done by then. However, if this is not possible, then we should have the blind memorandum giving the background.

*DC* During the past week, considerable has been said by Fulton Lewis on Herbert L. Packer who is scheduled to go with Stanford University on 1/1/55. The Fund for the Republic report refers to Packer as a member of the D. C. Bar. Actually, according to Russell Turner, in Fulton Lewis' Office, Packer is not a member of the D. C. Bar. Harry Richey is also very much interested in Packer and former President Herbert Hoover was scheduled to challenge the Board of Trustees at a meeting on 8/25/55, on the propriety of Stanford University making a survey of witnesses.

E. B. Nichols  
*Ho*

cc - Mr. Belmont

LBN:fc  
(3)

ALL INFORMATION CONTAINED  
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DATE 9-5-84 BY SP-7MAC/ELW

C#247,168

7-26-89

88313108

RECORDED 125

100-391697-170X

OCT 26 1955

INDEXED - 28

71 OCT 31 1955

FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE

Airtel  
NY, NY, 9/12/55

Transmit the following Teletype message to: Bureau

FORD FOUNDATION; FUND FOR the Republic (FREEDOM) INC.; INFORMATION CONCERNING

Mr. Tolson  
Mr. Boardman  
Mr. Nichols  
Mr. Belmont  
Mr. Harbo  
Mr. Mohr  
Mr. Parsons  
Mr. Rosen  
Mr. Tamm  
Mr. Sizoo  
Mr. Winterrowd  
Tele. Room  
Mr. Holloman  
Miss Gandy

NYC, advised this date that while two of his agents were at SOG they were authorized by [redacted] 9/7/55, to initiate an investigation in NYC of captioned organizations with the view of [redacted]

Source advised that such investigation is being initiated and that the NYO would be kept advised of pertinent developments.

For information.

KELLY

③ - Bureau (RM)

Mr. Belmont

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1/26/81 BY 288 BTJ/ag  
RECORDED - 11

100-391697  
16 SEP 13 1955

EJM:JPC(#20-11)  
100-112646

Approved

Sent

M Per

Special Agent in Charge

## Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 9/14/55

FROM : SAC, NEW YORK (100-112646)

SUBJECT: FORD FOUNDATION;  
THE FUND FOR THE REPUBLIC INCORPORATED.  
INFORMATION CONCERNING

ReNYair-tel 9/12/55, entitled 'FORD FOUNDATION; THE FUND FOR FREEDOM INCORPORATED.'

On 9/13/55, [REDACTED]

[REDACTED] NYC, advised upon recontact that when he referred to the Fund for Freedom Incorporated he meant to say the Fund for the Republic Incorporated.

This source advised that he would furnish the FBI data re the Fund for the Republic as it is developed in [REDACTED] where the information might be of interest to the FBI.

b7E

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DATE 7/26/89 BY SP8 BTJ/ag

RECORDED - 71

EX-118

100-391697-172  
16 SEP 16 1955

FBI

RECEIVED SEP 15 1955

SEP 12 3 10 PM '55

RECEIVED

EJM:BBA

59 SEP 23 1955

9/12. 1955

1 copy typed 9/19/55 jfm

Dear Mr. Hoar

Will you tell  
me why the "Ford Foundation" fundal  
for the Republic is allowed to get by  
just by not paying taxes. Second.  
they are Confucians first.

(As I became involved in a  
millennium, who is absolutely ag-  
ainst our government. They claim  
you get after the cream of the bunch.

SEP 15 1955

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EXP. PROC. 18

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10 SEP 16 1955

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY SP8 BTJ/208

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OCT 16 1955  
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nmh  
ack 9-19-55  
HEH

RECORDED - 71 100-391697-173

September 19, 1955

INDEXED - 71

Mrs. G. Ball  
1497 Third Avenue  
New York, New York

EX-104

Dear Mrs. Ball:

Your letter of September 12, 1955, has been received, and I appreciate having the benefit of your comments and observations.

Inasmuch as the contents of your communication involve a legislative matter, a long-standing policy prevents me from commenting further. I trust you will realize my position in this matter.

Sincerely yours,

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

J. Edgar Hoover

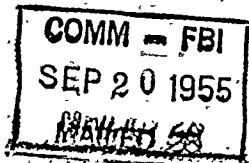
John Edgar Hoover  
Director

DATE 7-26-89 BY SP8 BTJ/ap

NOTE: Bufiles contain no record of correspondent in New York. Mr. Fulton Lewis, Jr. is currently spending the major portion of his daily broadcast in outlining the background of the Fund for the Republic which was established by the Ford Foundation. The Bureau is maintaining an active interest in this organization.

Zone number omitted because unable to clarify.

HEH:jfm  
(3)



Tolson  
Boardman  
Nichols  
Belmont  
Harbo  
Mohr  
Parsons  
Rosen  
Tamm  
 Sizoo  
Winterrowd  
Tele. Room  
Holloman  
Gandy

RECEIVED RECORDS ROOM  
FBI  
SEP 20 1955

68 OCT 3 1955

TRUE COPY

9-12.1955

Dear Mr Hoover

Will you tell me why the "Ford Foundation" Funds for the Republic is allowed to get by first, by not paying taxes. Second they are Communists Front.

Is it because it involves a millionaire, who is absolutely against our government. Why cant you get after this crumy bunch.

If you already know this I am sure you do. Why hasn't something been done about it. Ask Fulton Lewis Jr. what they are doing & get his opinion? Thank God he is telling the American people what a skunk Ford is & his friends in our government are up to.

Sincerely

/S/ Mrs. G. Ball  
1497 - 3rd Av. N. Y. 28 (illegible)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY 2035WJ/af

Mr. Nichols

September 23, 1955

M. A. Jones

FULTON LEWIS, JR.,  
RADIO BROADCAST  
SEPTEMBER 19, 1955

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 7-26-89 BY 28857 JAG

Fulton Lewis, Jr., in his broadcast for the evening of September 19 touched on the Fund for the Republic. He said that Stanford University had accepted the \$25,000 from the Fund for the Republic for the study of testimony by former Communists who have been witnesses in various proceedings. According to Lewis, Stanford made it very clear that the Fund for the Republic will not be permitted to exercise any influence over the study or the results. The President of the University said the study will be an impartial study by legal scholars. Lewis said that the President of the University stated that in accepting this grant which has been commented on by certain newspapers, columnists and radio commentators the University reaffirms that one of its chief functions is to encourage research into problems which they deem worthy of investigation. The President said the University was concerned only that its scholars adhere to these standards and independence of judgment along with impartial evaluation which have always motivated true scholars. The President said that these principles will be followed by the faculty in carrying out the research contemplated under the grant.

Lewis said that a young attorney, Herbert Facker, from the city of Washington who has been employed on another slanted project for the Fund for the Republic is going to join the law faculty of Stanford University and will participate in the study and as long as the study <sup>takes place</sup> under the and very political minded Dean of the University, Carl Spaeth, (phonetic) it is highly suspect from a realistic standpoint.

Lewis went on to say that Hutchins in announcing the grant <sup>said</sup> the study will be made under the direction of Herbert Facker who will work in Washington until January 1 at which time he will join the Stanford law faculty. Lewis said that from this statement it appears that Facker will be working on the project until January 1 without any supervision at all for the next three months.

Lewis concluded by saying, "As we proceed with this investigation, there is a tremendous amount of digging and checking and following down leads wherever necessary."

cc - Mr. Boardman

cc - Mr. Belmont

cc - Mr. Nichols

cc - Duffie 100-391597

INDEXED-103  
100-391597-174  
NOT RECORDED  
191 SE 22 1955



Memorandum to Mr. Nichols

September 20, 1955

He added that all of this has to be done with the greatest of care so, as a result, there will be evenings when there will be nothing to report. He added that there are several startling and very shocking angles on which he was working and that he may have one on Tuesday night. If not, "We will have to wait until Wednesday."

## Office Memorandum • UNITED STATES GOVERNMENT

TO: Director, FBI (100-391697)  
 FROM: SAC, Pittsburgh (100-12867)  
 SUBJECT: FORD FOUNDATION  
 INFORMATION CONCERNING  
 (LIAISON)

DATE: 9/15/55

Remyairtels 8/9/55 and 8/23/55.

[redacted] who has furnished reliable information in the past and whose identity should be concealed, advised SA RUSSELL M. GWYNNE on 9/12/55 that efforts to determine the identity of the unsub attorney mentioned in reairtels has been to no avail. Informant stated that during subsequent meetings held with JACK SARTISKY, a member of the District 5 CP Board, SARTISKY has not revealed the attorney's identity or furnished any information concerning the attorney's appearance in Pittsburgh on 8/8/55. RUC.

b7D

Registered Mail

- 1 - PG 100-9044 (JACK SARTISKY)  
 1 - [redacted]

b7D

RMG:PJS  
 (5)

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 7/26/79 BY 2052 (S) JAG

RECORDED - 87  
 INDEXED - 87

100-391697-175

22  
 27  
 21 SEP 29 1955

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 FBI  
 DIVISION

SEP 26 1955

WILSON  
 11/1/55

EXP. PROC.

SEND FOR THE REPUBLIC

following conversation took place -- and I am now reading from the official record of those hearings:

" Mr. Nixon: As you probably noted from press accounts of the hearings, Whittaker Chambers, during the period that he alleges that he knew you, was not known by the name of Whittaker Chamber. He has testified that he was known by the name of Carl. Do you recall having known an individual between the years 1934 and 1957, whose name was Carl?

" Mr. Hiss: I do not recall anyone by the name of Carl that could remotely be connected with the kind of testimony Mr. Chambers has given. I think I know two or three people named Carl -- one of whom I certainly knew. I would think, as far back as 1937... Carl Spaeth. I don't at the moment think of anyone else by the name of Carl, whom I knew as far back as that. I know another man named Carl whom I have known more recently..

" Mr. Nixon: You knew them as well by their last names?

" Mr. Hiss: That is right. "

2588

Now this same record shows another mention of Dr. Spaeth, during his State Department days.....in the testimony of one Robert T. Miller, one of the subordinate officials of the Department, who was described in the Congressional Record as being a known communist and who, therefore, was being interrogated by the House UnAmerican Activities Committee. The Committee was trying to find out how he ever got into the State Department at all, and here is the testimony -- and again I am reading from the official record:

" Mr. Mundt (Now Senator Mundt and then a member of the House UnAmerican Activities Committee) Who, specifically, approached you -- Mr. Fay or Nelson Rockefeller, or who?

" Mr. Miller: Well, through Mr. Fahy, I met Nelson Rockefeller, Carl B. Spaeth, and Hadley Cantrill, and a number of other people and I discussed coming down there, with ALL of them, and I finally did. "

Dean Spaeth was a very vocal defender of Phillip Jessup, at the time he was under investigation, wrote letters to that effect to the San Francisco News on December 17, 1949, and the San Francisco Chronicle of June 1950.

He is a great enthusiast on India, and wants to devote 600 thousand dollars of another direct grant from the Ford Foundation, to a study of Constitutional and legal problems in India. Incidentally, sometime I'll get around to detailing for you what this man has spent of Ford Foundation money, in India in the last two years, with a list of the projects. But you'd better take a good sedative first.

Anyway, that's the story of Dean Carl B. Spaeth of the Stanford University School of Law, who has just received the 25 thousand dollar grant from the Fund for the Republic, to make a study of the testimony of Elizabeth Bentley, Louis Budenz, Paul Crouch, Whitaker Chambers and other reformed communists, who have come forward and told their stories.

And it's your money, of-course -- because it is tax exempt and the sole grounds that it is tax exempt is that it is being used for the benefit of the general public at large. Or do you think that's entirely true, in this case? How do you think this project will turn out, finally?

....

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/89 BY 258073

Now, let's pick up the trail again on the Fund for the Republic, and its 15 million fund which is going largely into left-wing propaganda operations under the leadership of the former Chancellor of the University of Chicago, Robert M. Hutchins and his assistant, William H. Ferry, alias "Ping" Ferry, formerly with the CIO Political Action Committee under the late Sidney Hillman... and inasmuch as we dealt last night with Mr. Hutchins himself, let's take up, tonight, the Stanford University School of Law in California, to which The Fund for the Republic has given a 25 thousand dollar grant for a study of the testimony of Wi...

2587

That is the one in which a young attorney by the name of Herbert Packer, who has been on the payroll of the Fund for the Republic on another project for some months past, is to be sent to California, and attached to the Stanford University Law faculty, to direct this so-called study. In view of the very peculiar circumstances surrounding the project, and the fact that I have been trying for nearly a week now, to get hold of the Dean of that Law School, Dean Carl B. Spaeth -- without success -- and in view of the fact that the Fund for the Republic says that they made the contract for this grant directly with Dean Spaeth, the next indicated subject of inspection would seem to be Dean Carl B. Spaeth.

It seems that Dean Spaeth is 48 years old, and was a classmate of Nelson Rockefeller at Dartmouth, in the class of 1929... later went to Oxford on a Rhodes Scholarship, where he got a degree of Bachelor of Civil Laws. So far as the records indicate, he never received any regular American Law degree, but he taught Law at Temple University in Philadelphia in 1933 and 1934, and then went to Chicago, where he became an assistant professor of Law at Northwestern University. While he was in Chicago he became acquainted with one Adlai Stevenson, who then was a young attorney around the town.

At the beginning of World War II, he moved into Washington, and became a sort of protégé of Nelson Rockefeller, who seemed to take him under his wing, and became also a great friend of the Alger Hiss, Lawrence Duggan, Sumner Welles clique in the Department -- the anti-Cordell Hull clique.

He remained in the Department until the end of 1946, and for the last year was one of the special assistants to the Assistant Secretary of State for American Republics Affairs, who was then the highly controversial Spruille Braden. One of his two office mates was an inconspicuous individual who seems to have disappeared from State Department ranks, named James Wright. The other was Gustavo Duran, who figured very prominently in Senator McCarthy's expose of communists in the State Department.... you probably will remember the incident.... he was the individual who had been a member of the communist party in the Spanish Civil War, and Senator McCarthy had a picture of him in his communist uniform, and frequently displayed the picture in platform speeches.

So, in those last days in the State Department, Gustavo Duran and Carl Spaeth were officers.

In 1946, he left the State Department, the School, and has been there ever since. He has been on leave of absence, and is now on the Ford Foundation. If that is a Dean on leave of absence should not even asking the approval of the Fund for the Republic, I can say for sure that he still IS on the telephone.

on of Dean of the Stanford Law School, who says that he is of Far Eastern Affairs for seems a little puzzling that contract of this kind, without the approval of the Fund for the Republic, but of course I cannot get him to answer on the telephone.

Dean Spaeth was in, up to his neck, in the notorious Institute of Pacific Relations, and was a member of the American delegation to an international conference of that organization several years ago.

Members of the Stanford Law Faculty report that he has a habit of boasting that "Adlai confided this or that to me when I saw him in Libertyville, a year ago", and he makes a great profession of his close association and friendship with Adlai Stevenson.

He also made a great profession of his friendship with Alger Hiss, for a cock and bull party, I am told, in San Francisco shortly after the war... that was at the time of the United Nations Conference there, in 1945, absolutely sure. In any event, Hiss himself corroborates the acquaintance at the hearings of the House UnAmerican Activities Committee, in August of 1948, on the witness stand being cross examined about the testimony of Whittaker Chambers.

INDEXED - 22

NOT RECORDED  
8 SEP 21 1955

21 SEP 20 1955

RA

DO-7

FROM

OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

TO

OFFICIAL INDICATED BELOW BY CHECK MARK

Mr. Tolson ☒   
 Mr. Boardman ☒   
 Mr. Nichols ☒   
 Mr. Belmont ☒   
 Mr. Harbo ☒   
 Mr. Mohr ☒   
 Mr. Parsons ☒   
 Mr. Rosen ☒   
 Mr. Tamm ☒   
 Mr. Sizoo ☒   
 Mr. Winterrowd ☒   
 Mr. Holloman ☒   
 Miss Gandy ☒

See Me ☐   
 Note and Return ☐   
 Prepare Reply ☐   
 For Your Recommendation ☐   
 What are the facts? ☐   
 Remarks ☐

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/80 BY 8857 JAG

RECORDED - 33

100-391697-177

SEP 23 1955

ENCL.,  
(Newspaper  
clipping)  
59 SEP 27 1955 33

Fund for the Republic

62-24-1

Send  
copy  
to  
H. G. J.  
H. G. J.

M

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY 258157/af

## Washington Report:

# 'Fund for Republic' Report!

By FULTON LEWIS JR.

(Copyright, 1955, King Features Syndicate, Inc.)

WASHINGTON, Aug. 23. OFFICIALS of the highly controversial Fund for the Republic are reported growing concerned over the possibility that their \$15,000,000 anti-anti-Communist slush fund may lose its tax-exempt status. That enviable exemption is based on a finding that the fund is a philanthropic educational organization. Actually, its virtually every move has had the one-sided aim of discrediting and putting an end to all forms of loyalty inquiries or personnel security programs. Quite obviously, however, the reported concern of fund officials has not become sufficiently serious to compel them to tone down the militant advocacy of the manner in which they are using the \$15,000,000 no-strings-attached grant from the Ford Foundation which created the Fund for the Republic.



J. R. OPPENHEIMER

On the contrary, the newly issued first public report on the fund's operations shows that its future plans call only for activities just as ultra-liberal and anti-anti-Communist as those of the past.

For instance, the report discloses that in the fall the fund will underwrite a once-a-week, 15-minute filmed news commentary over television stations around the country by Herbert Lawrence Block, "Herblock," the far-left cartoonist of the equally liberal Washington Post and Times-Herald.

Herblock's Pulitzer Prize-winning cartoons certainly jibe with the pinko thinking that actuates the Fund for the Republic.

### Report Enlightening

The fund's report, the first public accounting it has made during its two and one-half

years of existence, is a highly enlightening document. It shows expenditures up to May 31, 1955, of \$2,514,000, with \$12,877,000 remaining on hand for its anti-investigations efforts.

Among other tid-bits, the report notes that "in an effort to arouse interest in civil liberties, to explain their importance, and to describe their condition at the present time," the fund has undertaken such chores as distributing an hour-long film version of Edward R. Murrow's interview with Dr. J. Robert Oppenheimer.

That interview, of course, was the apology Murrow did after the Atomic Energy Commission refused to grant Oppenheimer a security clearance. It sought to clean up in the public mind the scientist who had admitted lying to security officers on occasion and to having been a close associate of Communists.

The report also lists various books, articles and pamphlets which the fund has distributed among civic, educational and governmental leaders on a widespread basis. You can guess the type of publications.

For instance, it takes credit for financing the distribution of 25,000 copies of a special loyalty-security issue of the Bulletin of the Atomic Scientists. This job, like the Murrow film, was designed to make Oppenheimer, who happens to be chairman of the publication's board of sponsors, look good, and to ridicule all loyalty programs. The report says it was distributed to "lists selected by the publisher," but I happen to know those lists included all members of Congress and of the congressional press and radio galleries.

Also on the list is "The Fifth Amendment Today," by Erwin N. Griswold, dear of the Harvard Law School, which is a long and wordy defense of the Fifth Amendment as a refuge for Reds. The fund says it sent 35,000 copies of this one to "bench and bar," meaning lawyers and judges.

(Listen to Fulton Lewis Jr. daily at 4 p. m. and 9:15 p. m. on KHJ-Don Lee.)

ENCLOSURE

180-391697-177



The Attorney General

August 30, 1955

Director, FBI

FUND FOR THE REPUBLIC

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/89 BY 20807/afp

You will recall that I have previously furnished you information concerning the Fund for the Republic, its officers and the individuals participating in its projects.

On his radio broadcast of August 22, 1955, Fulton Lewis, Jr., announced that during the coming weeks he would be talking about the Fund for the Republic. He said that over the week end this group published its first annual report which received only cursory press attention. Among the things ignored in the report, according to Lewis, was a \$25,000 grant to the law school of Leland Stanford University at Palo Alto, California, for an "analysis of the testimony of witnesses in proceedings relative to Communism." This study is to cover ten major, named witnesses including Elizabeth Bentley, Paul Crouch, Louis Budenz, Manning Johnson and other former Communists who turned against Communism. He advised that this study was peddled to various universities in the East, particularly Catholic ones, and all of them turned it down as an obvious attempt to discredit the witnesses and help the Communist cause. He said it would be well for those in charge at Stanford to look over the records and past performances of the Fund for the Republic before final commitment. Lewis concluded his broadcast of August 22, 1955, by saying the Fund for the Republic is now trying to find some college to act as a front and to make a similar investigation of the American Legion and the FBI.

On August 23, 1955, Lewis broadcast that his initial report of the previous evening concerning the grant to Leland Stanford University had apparently stirred up quite some concern at that University. Lewis described the Fund for the Republic as being for the program of the Americans for Democratic Action and that it is fighting the security program of the Government, fighting congressional investigations against Communists and the methods of Communist infiltration in the Government and fighting to discredit former Communists who have testified on behalf of the Government. He added that the study at Stanford University would be directed by Herbert Packer of Washington, D. C., who will join the Stanford University faculty.

Tolson  
Boardman  
Nichols  
Belmont  
Harbo  
Mohr  
Parsons  
Rosen  
Tamm  
 Sizoo  
Winterrowd  
Tele. Room  
Holloman  
Gandy

cc Mr. Nichols

cc Mr. Boardman

cc Mr. Belmont

cc Mr. Mohr

cc Mr. Parsons

cc Mr. Rosen

cc Mr. Tamm

cc Mr. Sizoo

cc Mr. Winterrowd

cc Tele. Room

cc Holloman

cc Gandy

RECORDED

391697-178

SEP 27 1955

SEP 27 1955

SEP 27 1955

SEP 27 1955

SEP 27 1955

SENT FROM D. O.

TIME 10:05 AM

DATE 8/30/55

BY

BY

BY



The Attorney General

August 30, 1955

Lewis continued his discussion of the Fund for the Republic on his August 24, 1955, broadcast and stated that he had gone to the Fund's headquarters in New York at 60 East 42nd Street to pick up literature, including the first annual report of the Fund. While he was there he talked with Wilbur H. Ferry, Vice President of the Fund for the Republic, and David F. Freeman, Secretary-Treasurer. Lewis stated that Ferry was vigorous in his criticism of Lewis' broadcast of August 23 and questioned his integrity and honesty. Ferry allegedly stated he did not know why Lewis would be interested in the annual report since the document contains facts, and Lewis is not interested in facts. Lewis continued by stating that the big question that bothers him is why should Leland Stanford University allow outsiders to come in and make the study for the analysis of testimony of witnesses. He questioned as to why the Fund did not do it itself and wonders whether or not it was window dressing. He also questioned the timing of Packer joining the Stanford faculty and wondered whether the University had sought out Packer to make the study or did they agree to accept him to make a survey. Lewis also wondered who decided to approve the project at the University and stated that one member of the Board of Trustees said that the Board had not approved it.

On his broadcast of August 25, 1955, Lewis referred to his broadcast of ~~August~~ April 24, 1955, in which he had mentioned his interview with Wilbur H. Ferry in New York City. Lewis said that after this interview he went to Detroit from where Ferry comes. Ferry, according to Lewis, is the son of Hugh Ferry, an industrialist and former President and Chairman of the Board of the Packard Motor Company. After finishing college, Ferry held jobs on several small insignificant newspapers and then he was a reporter on the "Detroit Times" in Detroit for two or three years, Lewis said. From there, he went to New York to work with a public relations firm and during this period worked with the CIO Political Action Committee under the late Sidney Hillman. Lewis stated that Ferry was assigned to Henry Ford II as personal public relations man and in that connection had contact with the Ford Foundation through which he got into the Fund for the Republic which operates on a fifteen-million-dollar "grab" from the Ford Foundation. Neither Ford Motor Company nor Ford Foundation has any control over the Fund for the Republic and the fifteen million dollars was an outright grant, and the Fund is completely autonomous, Lewis said. Ferry's general reputation, according to Lewis, is that he was a constant dissenter.

The Attorney General

August 30, 1955

Lewis continued his broadcast of August 25, 1955, by reading from the first annual report of the Fund for the Republic which was signed by Robert Hutchins, President. Under the heading, "Distribution of Books, Articles and Other Material," the distribution of various books is listed including "Bulletin of the Atomic Scientist," special issue on loyalty and security. Twenty-five thousand copies were distributed to a list selected by the publisher. Lewis stated this publication's editor or policy head is Dr. J. Robert Oppenheimer, and this entire edition was devoted to a defense and glorification of Oppenheimer and a series of attacks on the Government's loyalty and security programs in general. Also listed was "Government by Investigation" by Alan Barth of which 850 copies were distributed to members of the Federal bench. Lewis quoted from the body of Dr. Hutchins' report that the authority of the Post Office Department to interfere with freedom of expression is very great, and the Department of late has shown a disposition to exercise it. The Fund for the Republic believes an objective analysis of the powers and conduct of the Department with reference to freedom of expression is called for. The Fund has undertaken to finance a study of the subject. The allocation for the study is \$35,000.

On his August 26, 1955, broadcast, Lewis described the Fund for the Republic as the "slush fund for left-wing political propaganda." He commented further concerning the study to be conducted at Stanford University and said that Herbert Packard of Washington, not even a member of the District of Columbia bar, will become a member of the Leland Stanford law faculty on January 1 to direct the survey. According to Lewis, Georgetown University in Washington would have no part of this survey. Lewis said that nowhere has the Fund appropriated monies for a project to find something good about American freedom and standard of living, but it has appropriated \$200,000 for the very leftish Washington Post cartoonist, Herblock, to do a nationwide television propaganda program this fall and winter. Lewis said that in reading from the Fund's announced projects he had noted a project entitled "Fear in Education" which was to be a study of high school and college teachers' attitudes.

Lewis concluded his August 26, 1955, broadcast by saying that his next move would be to ask the Treasury Department and Internal Revenue some questions as to what was behind this fifteen-million-dollar tax-free outfit (Fund for the Republic).

The Attorney General

August 30, 1955

On his broadcast of August 29, 1955, Lewis stated that he would examine the people who controlled the distribution of the fifteen-million-dollar Fund for the Republic. Primarily responsible for having real practical control of distribution of the Fund's money, according to Lewis, is Dr. Robert Maynard Hutchins, former President and Chancellor of the University of Chicago. In 1929, at the age of thirty, he became President of the University of Chicago, and, due to his violently progressive ideas on education, he had trouble with the faculty and the faculty senate adopted an unprecedented resolution of censure against him, Lewis said. By 1951, because of public criticism and alumni criticism, Hutchins resigned voluntarily and became Associate Director of the Ford Foundation then being set up. The Ford Foundation amounts to about one-half billion dollars. In 1953, the Ford Foundation appropriated fifteen million dollars for the Fund for the Republic. In 1954, Hutchins became President and member of the Board of Directors and had a reputed salary of about \$40,000, Lewis stated.

In 1949, Lewis continued, the Illinois State Legislature set up a special commission to investigate Communist activities at the University of Chicago campus. On August 20, 1949, during cross-examination, Hutchins said he did not believe "that Communism is a clear and present danger." He was not convinced that Communist fronts were of a Communist movement. He said there was a Communist club on the campus but believed the purpose of the members was to study Communism. When asked whether he had any doubts if the Communist Party was a subversive organization, Hutchins replied, "I cannot believe that is true in this country or the Communist Party would long since have been illegal." Lewis stated that the "People's Daily World," West Coast Communist newspaper, in December, 1952, reported Hutchins' speech to the Beverly Hills High School student body stating that Hutchins defined the wave of spy hysteria as one of nervous shock. Hutchins said, "Today we are cursed by a tremendous glorification of the FBI, the only people we will believe are confessed spies and traitors."

Lewis concluded his August 29, 1955, broadcast by stating that Hutchins has stated that you now propose to evade the Fifth Amendment and permit the use of evidence obtained illegally by wire tapping. Hutchins noted, according to Lewis, that you were a student at Yale University Law School while he was a teacher there but hopes that you were not in any of his classes. Lewis related that Hutchins

The Attorney General

August 30, 1955

said, "I would catch and punish criminals, I would not condemn a man because he belonged to an organization. The Communist Party may be in the hands of the Kremlin, but it does not follow that every one in the Communist Party is part of the Communist conspiracy. I do not believe that spying accelerated by thirty days the development of the atom bomb in Russia."

It is interesting to note that Mr. Lewis has referred to the tax-free status enjoyed by the Fund for the Republic and has voiced a question as to whether such funds are being misused for a questionable purpose. The thought occurs that you might wish to give consideration to whether tax exempt funds intended for charitable or educational purposes are being misused by the Fund for the Republic for propaganda purposes.

I am enclosing a Photostat of Lewis' syndicated column dated August 23, 1955, which deals with the "Fund for the Republic" report.

cc - Mr. William P. Rogers (with copy of enclosure)  
Deputy Attorney General

cc - Assistant Attorney General  
William F. Tompkins (with copy of enclosure)

NOTE: Information regarding the Fund for the Republic from Fulton Lewis' radio broadcasts of August 22-29, 1955, is being submitted to the Attorney General per Mr. Nichols' request. The Director instructed that we "send copy to Attorney General" of Lewis' syndicated article of August 23, 1955.

F R I O E R I C K A . W A N D

P. O. BOX 262

ONARGA, ILLINOIS

September 6, 1955

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/89 BY 208257

Mr. Tolson  
Mr. Boardman  
Mr. Nichols  
Mr. Belmont  
Mr. Harbo  
Mr. Mohr  
Mr. Parsons  
Mr. Rosen  
Mr. Tamm  
Mr. Sizoo  
Mr. Winterrowd  
Tele. Room  
Mr. Holloman  
Miss Gandy

DIVISION MANAGER  
NATIONAL FEDERATION OF  
INDEPENDENT BUSINESS, INC.

PAST COMMANDER  
ONARGA LEGION PORT  
NO. 551

LIFE MEMBER  
UNIVERSITY OF ILLINOIS  
ALUMNI ASSOCIATION

PAST PRESIDENT  
IROQUOIS COUNTY  
ILLINOIS CLUB

WHO'S WHO  
IN CHICAGO AND  
ILLINOIS

Mr. J. Edgar Hoover, Director  
Federal Bureau of Investigation  
U. S. Department of Justice  
Washington 25, D. C.

Dear Mr. Hoover:

No doubt your Springfield, Illinois office has supplied you with detailed information regarding action taken last week at the annual convention of the Department of Illinois of The American Legion.

Legion Commander Breakstone of Chicago had entered into a deal with the Ford Foundation to have the Legion sponsor one of their pet projects. The Legion Delegates repudiated this action and elected a new State Commander. They also voted to deny Commander Breakstone the right to attend the Legion National Convention as a Delegate. The Delegates adopted a Resolution asking Congress to investigate the Ford Foundation.

The Legion failed to in their efforts to have Harry Bridges prosecuted or deported. Some members of the legal profession lay this to the type of individuals appointed under previous administrations. They may be right.

Your Bureau appears to be obtaining more cooperation from the Executive Branch of the Government. Also assistance from the Legislative Branch whenever necessary. However, there are a large number of individuals feel that the situation is far from ideal. A Chief Executive who owes all his promotions to previous Administrations is not going to tramp on too many toes. The late Senator Bob Taft would have staged a real house cleaning and he was smart enough to know the answers.

President Eisenhower will be re-elected is he runs in '56. A lot of Democrats will vote for him as they figure they already have one in the White House and would not trade him for that crooked gang that that Truman & Co. would bring back into power in Washington.

Sincerely,

27 SEP 1955

Frederick A. Wand

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: August 29, 1955

FROM : L. B. Nichols

SUBJECT: *9*

Tolson ☒  
 Boardman ☒  
 Nichols ☒  
 Belmont ☒  
 Harbo ☒  
 Mohr ☒  
 Parsons ☒  
 Rosen ☒  
 Tamm ☒  
 Sizoo ☒  
 Winterrowd ☒  
 Tele. Room ☒  
 Holloman ☒  
 Gandy ☒

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 7-26-89 BY 508 BTJ/108

*NY*  
 George Sokolsky called me Sunday evening. Roy Cohn and he had been discussing the proposed plans of the Fund for the Republic to investigate the FBI. They came to the conclusion that they should try to mobilize the good people and, accordingly, they want to have a dinner for the Director at the Waldorf Astoria Hotel, which dinner would be under the sponsorship of the Jewish Anti-Communist Society which George heads. They would have at least 3000 people present who would be the leading people of New York. They would present the Director an award and would focus attention upon the Bureau's contributions. George feels with the press coverage such an occasion would go far toward cauterizing any action which the Fund for the Republic might take.

I told George the Director would be deeply grateful for the thought but that the big problem which the Director has been faced with is being able to say months ahead of time that he could be at a given place at a given time. I told George that I would discuss this with the Director upon his return, and we would let them know.

LBN:gjm.  
 (2)

RECORDED - 8

INDEXED - 8

100-391697-180

SEP 28 1955

59 SEP 29 1955

SENT DIRECTOR

8-31-55

not for books  
Per Holloman  
9-6



## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: Sept. 1, 1955

FROM : L. B. Nichols

SUBJECT:

Tolson \_\_\_\_\_  
 Boardman \_\_\_\_\_  
 Nichols \_\_\_\_\_  
 Belmont \_\_\_\_\_  
 Harbo \_\_\_\_\_  
 Mohr \_\_\_\_\_  
 Parsons \_\_\_\_\_  
 Rosen \_\_\_\_\_  
 Tamm \_\_\_\_\_  
 Sizoo \_\_\_\_\_  
 Winterrowd \_\_\_\_\_  
 Tele. Room \_\_\_\_\_  
 Holloman \_\_\_\_\_  
 Gandy \_\_\_\_\_

Larry Richey told me that former President Herbert Hoover is leaving San Francisco on September 3, 1955, and would be in New York that night. He stated that the Chief was very much disturbed over the involvements of Stanford University with the Fund for the Republic and that the Chief wants some background material so that he can familiarize himself and decide what, if anything, he should do.

Larry pointed out that in addition to Dean Carl Spaeth undertaking the survey on witnesses for the Fund of the Republic, Charles E. ~~Corker~~ of Stanford University was the Staff Director of the study group headed by Professor Arthur ~~Sutherland~~ on "The Study of the Communist Record."

I had previously told Larry that we would try to get something together for him. He stated that he, of course, would be glad to handle the matter direct if we desired, although he would prefer that we either write to the Chief or have someone call upon the Chief and furnish him with the desired information.

A blind memorandum is presently being prepared and upon its completion, it is recommended we then consider how best to handle it.

cc: Mr. Boardman  
 Mr. Belmont  
 LBN:arm  
 (4)

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7/26/89 BY 208157 JFP

RECORDED - 25

INDEXED - 29

71 OCT 31 1955

Blind Memo 9-2-55  
 Cover Memo 9-6-55  
 JHK

60-391677-180

26  
 OCT 20 1955



## Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. L. V. BOARDMAN *LB 10/11/55*

FROM : A. H. BELMONT *AHB*

SUBJECT: FUND FOR THE REPUBLIC

DATE: September 8,  
1955

Tolson	_____
Boardman	_____
Nichols	_____
Belmont	_____
Harbo	_____
Mohr	_____
Parsons	_____
Rosen	_____
Tamm	_____
Sizoo	_____
Winterrowd	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

Pursuant to Mr. Nichols' request, there is attached a memorandum on the Fund for the Republic which is felt suitable for dissemination. The memorandum consists of public source information and information from Bufiles which can be verified.

The memorandum does not include information on all projects or individuals connected with the Fund for the Republic as complete file reviews on projects and individuals have not been completed. The bulk of the material contained in the memorandum is based upon information appearing in memoranda previously prepared for use of Bureau officials and, therefore, all public source information in Bufiles concerning the Fund or the individuals involved may not be included.

RECOMMENDATION:

For your information.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-20-89 BY 2538

OCT 26 1955

Enclosure

JGL:pyp  
(7)

- 1 - Mr. Nichols
- 1 - Mr. Boardman
- 1 - Mr. Belmont
- 1 - Section Tickler
- 1 - Mr. Landis
- 1 - Yellow

*File to Mr. Herbert Hoover*  
9/8/55

RECORDED-997

Honorable Herbert Hoover  
Apartment 31A  
Waldorf Towers  
Waldorf-Astoria Hotel  
New York, New York

DECLASSIFIED BY SP7 BTJ/alr  
ON 7-26-79

Dear Chief:

Pursuant to a conversation between Mr. Larry Richey and a representative of my office, I am enclosing, for your information, a memorandum consisting of public source information relating to the Fund for the Republic, Incorporated.

You will note reference on page 2 to a \$25,000 grant by the fund to the Stanford University Law School for a study on "summary of the testimony of witnesses in proceedings relative to Communism."

I trust that this material may be of interest to you.

With kind personal regards,

Sincerely,

**Enclosure**

**CT:DSS**

BY REGISTERED MAIL

Tolson \_\_\_\_\_  
Boardman \_\_\_\_\_  
Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Harbo \_\_\_\_\_  
Mohr \_\_\_\_\_  
Parsons \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tamm \_\_\_\_\_  
 Sizoo \_\_\_\_\_  
Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holloman \_\_\_\_\_  
Gandy \_\_\_\_\_

W.C. Sullivan

September 6, 1955

**THE FUND FOR THE REPUBLIC, INC.**

60 East 42nd Street  
New York, New York  
1444 Wentworth Avenue  
Pasadena 5, California

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-26-89 BY 20581512/af

George Sokolsky, in his column in "The Washington Times-Herald" newspaper, March 9, 1953, stated that the Fund for the Republic was undertaking an enterprise which required scrutiny as it had entered upon a political activity. He stated that while the Fund for the Republic claimed that it was opposed to Communism, it obviously intends to run an inquiry that would parallel the investigations of Congressional committees. Sokolsky added, \$15,000,000 was to be spent by the Fund for the Republic, but Congressional committees had spent a very small sum in proportion and had turned up excellent results and he felt that the Fund for the Republic could get most of the information it needed in its survey from public sources.

Fulton Lewis, Jr., in a radio broadcast, May 22, 1955, stated that he had some interesting information on "the new activities of the highly-suspect-and-getting-more-so Fund for the Republic," which he felt would bear careful attention by his listeners "because this is a new kind of curve ball from the left wing." Lewis added that the Fund for the Republic had supported "one questionable project after another, consistently." Lewis also stated that this was the organization that financed the circulation of Edward R. Murrow's one-hour "glorification" of Dr. J. Robert Oppenheimer after Oppenheimer's security clearance had been removed by the Atomic Energy Commission. Lewis also stated that the Fund for the Republic was distributing books to Federal judges and that in doing so was making an attempt at political and ideological lobbying and that this activity was being financed "by money that really belongs to you and me."

In the June 8, 1955, edition of "The Washington Post and Times-Herald," George Sokolsky discussed the Fund for the Republic in his column of that day. He stated "the Fund for the Republic has been antagonistic to all congressional investigations and investigators, has teams all over the country ostensibly investigating the Communists but actually seeking to discover what active anti-Communists have been doing." Sokolsky also stated in his column that the Fund for the Republic had become engaged in the free distribution of books, pamphlets and newspaper articles. He added

NOTE: Cover memo, Belmont to Boardman, 9/6/55, re: Fund for the Republic; JGL:pyp

J.G. Landts: pyp  
(8)

ENCLOSURE

100-391497-18071

son  
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sons  
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man

that "One phase of political propaganda is the uninvited, unsolicited, unpaid-for distribution of material on one side of a question with the object of influencing public opinion."

"The Tablet," a Catholic weekly in Brooklyn, New York, in its July 30, 1950, issue had an article captioned "Rep. Reece Sees Ford Foundation Aiding the Reds." The article stated that Representative B. Carroll Reece of Tennessee, reminded Congress that the House Subcommittee to Investigate Foundations had, during the 83rd Congress, "expressed regret of the entry of the Ford Foundation and its \$15,000,000 offspring (Fund for the Republic) into the field of civil liberties, which is in a disputed area already crowded with muddled liberals, pro-Communists, anti-anti-Communists, and designing pressure groupists, who scheme constantly to maintain a left-wing balance of power in America by loudly shouting the phony civil-rights issue." The article further noted that Representative Reece had said in his speech that the Subcommittee's report denounced the expenditure of great sums of tax-exempt money in the political field by "biased individuals whose public utterances brand them as wholly incompetent to conduct a fair and objective inquiry."

David Lawrence, in his column in the "Washington Star," August 23, 1955, which was captioned "Investigating the Investigators," stated that judging from the annual report of the Fund for the Republic which had just been issued, it appeared that the organization was "primarily interested in investigating the investigators - the persons and institutions who recognize that a Communist conspiracy has existed in the United States and still exists." Lawrence also alleged that the Fund for the Republic and its President, Robert M. Hutchins, are biased in their opinions and make considerable effort to persuade others to follow the opinion of the Fund for the Republic. In a radio broadcast on August 28, 1955, Fulton Lewis, Jr., described the Fund for the Republic as the "slush fund for left wing political propaganda." In this broadcast Lewis stated that there had been a \$25,000 grant by the Fund to Stanford University Law School for a study on "summary of the testimony of witnesses in proceedings relative to Communism." He stated that the object of this survey was an attempt to pick inaccuracies and flaws in the testimony of anti-Communist witnesses with a view to discrediting the testimony and the people who gave it.

In this broadcast, Fulton Lewis, Jr. stated that there was a project to be supported by the Fund for the Republic to investigate the FBI and the American Legion on the grounds that they endanger the personal rights and freedoms of the individual.

Dorothy Thompson, in a column captioned "\$15 Million for Weasel Words," which appeared in the August 26, 1955, edition of the "Washington Star," noted in part "The Fund for the Republic headed by Dr. Robert M. Hutchins, has labored with the mountain of \$15 million, granted it by the Ford Foundation 'to advance understanding of civil liberties,' and in its first report brought forth a timid, rather pinkish mouse." Dorothy Thompson also stated with reference to the above-mentioned report, "The squeamish document exhibits a lack of both intellectual clarity and civil courage."

In his column appearing in the "Washington Star" of August 29, 1955, captioned "Lucky Break for the Communists," David Lawrence stated "The Communist cause in America has had a lucky break. Though not so intended, of course, it turns out that \$15 million originally derived from the free-enterprise system through the diligent and inventive efforts of the late Henry Ford is now going to be used to help persuade the people of the United States that Communist activity in America has been insignificant and unimportant."

#### Officers of the Fund for the Republic

Robert M. Hutchins, President: On June 20, 1939, Hutchins made a coast-to-coast broadcast under the auspices of the American Committee for Democracy and Intellectual Freedom, which Committee has been cited by the House Committee on Un-American Activities as a Communist front.

On April 21, 1949, in testimony before the State of Illinois Seditious Activities Investigation Commission, Hutchins testified that he felt that there was a distinction between signing a statement of a Communist front, or Communist-sponsored organization and sponsoring or becoming a member of that organization. He further stated that he was not satisfied that the National Council of the Arts, Sciences and Professions was a Communist front organization, even though it had been cited as such by the House Committee on Un-American Activities.

Since 1950, Dr. Robert M. Hutchins has made numerous statements in which he has:

1. Strongly opposed loyalty oaths particularly for school teachers and professors as required by the Dilworth Law in the State of California. ("Daily Worker," east coast Communist newspaper, July 7, 1950; "Daily Trojan," University of Southern California, December 3, 1953)

2. Opposed the Supreme Court decision upholding the conviction of the eleven Communist leaders under the Smith Act. ("Daily Worker," June 25, 1951)

3. Opposed the Universal Military Training (UMT) program in the United States claiming that no other nation would believe that the United States had to have UMT to protect it from attack; therefore, it must want UMT in order to attack somebody. (National Council Against Conscription pamphlet distributed July 2, 1952)

4. Requested House of Representatives investigators of tax-exempt foundations (as representative of Ford Foundation) to recognize "the very delicate problem of balancing security and freedom" in their hunt for subversion in education and to guarantee educators freedom to think and to express themselves. ("The Washington Post," November 26, 1952)

5. Denounced the activities of the Congressional Committee on Un-American Activities and protested the "spread of censorship." ("Daily People's World," west coast Communist newspaper, December 15, 1952)

6. Branded the California State Senate Investigating Committee on Education as "subversive and un-American" and urged its repudiation stating "never before has an official agency explicitly attacked freedom of thought and freedom of speech" as did Dilworth Committee report. ("The Washington Post," June 12, 1953)

7. Advocated the admission of Communist China into the United Nations. (Southern California "Daily Trojan," December 3, 1953)

8. Stated that Congressional committees which published lists of subversive Communist and Fascist organizations were run by a bunch of "characters." (Ibid.) (62-85293-6)

A February 11, 1955, press release of the Chicago Sobell Committee, 20 West Jackson Boulevard, Chicago, Illinois, reported that a bound volume of individual scrolls would be presented to Dr. Harold C. Urey, Nobel prize winner for his achievements as a scientist and contributions as a citizen, at a testimonial dinner to



be held in his honor on February 12, 1955, under the auspices of the Chicago Sobell Committee. The release listed Robert M. Hutchins among the signers of the scrolls. A subsequent press release of February 12, 1955, indicated that the wife of Morton Sobell was to present the scrolls of tribute to Dr. Urey. Morton Sobell was convicted on March 29, 1951, of conspiracy to commit espionage and was sentenced to serve a 30-year prison term. (100-387-835-1099)

Wilbur Hugh Ferris, Vice President: In a column called "Who's Who and Why" by Herschel Berman, in the August 21, 1944, issue of the "Detroit News," Berman commented that in 1944, Ferris became a member of the staff of the CIO Political Action Committee. He stated that Ferris was appointed as Publicity Director and was to head a \$5,000,000 publicity campaign of the CIO Political Action Committee.

In 1944, by House Report No. 1311, the House Committee on Un-American Activities issued a report on the CIO Political Action Committee. Under the section of the report entitled "Observations and Findings" the Committee made the following observations:

Immediately prior to the setting up of the CIO Political Action Committee, the leaders of the Communist Party were agitating for the establishment of just such an agency as was created by the CIO Executive Board in July, 1943; the CIO Executive Board which established the Political Action Committee was composed of forty-nine members among whom there were at least eighteen whose records indicated that they followed the "line" of the Communist Party with undeviating loyalty; a majority of the international unions affiliated with the CIO have an entrenched Communist leadership; the announced intention of the Communist Party to dissolve as a political party and to take some such name as the American Communist Political Association is not, in any sense of the word, a renunciation of Communism. The immediate significance of the party's dissolution is that during the 1944 elections Communists will throw their entire weight into the CIO Political Action Committee. Their leader will be, in effect, Sidney Hillman instead of Earl Browder; a part of the CIO Political Action Committee's program involves the sending of top CIO leaders on speaking tours. One of the principal speakers who is making such a tour is Communist Harry Bridges; and the independent judgment of numerous groups and individuals has arrived at the conclusion that Sidney Hillman has entered into a coalition with Communists for the purpose of building the CIO Political Action Committee.



Hallook Hoffman, Assistant to the President: Hallook Hoffman is the son of Paul Gray Hoffman, Chairman of the Board of Directors of the Fund for the Republic. The "Daily People's World," on August 4, 1953, contained an article which reported that Hallook Hoffman spoke against the Education Committee report concerning the support of loyalty oaths made by California State Senator Nelson S. Dilworth. According to the article, Hoffman stated that he desired his name be added to those who opposed loyalty oaths and he indicated that loyalty oaths were instruments of dictatorships which were used to enforce conformity and to broadcast fear. (105-24012-134)

A February 11, 1955, press release of the Chicago Sobell Committee, 20 West Jackson Boulevard, Chicago, Illinois, reported that a bound volume of individual scrolls would be presented to Dr. Harold C. Urey, Nobel prize winner, for his achievements as a scientist and contributions as a citizen, at a testimonial dinner to be held in his honor on February 12, 1955, under the auspices of the Chicago Sobell Committee. The release listed Hallook Hoffman, California, among the signers of the scrolls. A subsequent press release of February 12, 1955, indicated that the wife of Morton Sobell was to present the scrolls to Dr. Urey. Morton Sobell was convicted on March 29, 1951, of conspiracy to commit espionage and sentenced to serve a 30-year prison term. (100-387835-1099)

The "Los Angeles Times" of March 31, 1955, contained an article captioned "Suit Filed to Eliminate Assessor Loyalty Oath." That article noted that Eleanor G. Hoffman, wife of Hallook Hoffman, had filed a suit on the previous day in which she asked in the Pasadena, California, Superior Court that County Assessor John R. Quinn be restrained from including a "nonsubversive oath" in forms used by his office. Hallook Hoffman, who was interviewed by newspaper reporters concerning the matter inasmuch as his wife was unavailable, said his wife was making the suit completely outside the boundaries of the Fund for the Republic. He added, however, that he and his wife "think that loyalty oaths create a climate that makes people suspect each other and we don't think that they really promote loyalty."

Paul Gray Hoffman, Chairman of the Board of Directors: In March, 1943, Paul G. Hoffman was elected a trustee of the American Council of the Institute of Pacific Relations, which position was held

until February, 1947. During each year from 1943 to 1947, Hoffman contributed \$100 a year to the American Council of the Institute of Pacific Relations.

As a result of documentary evidence and testimony from witnesses who appeared during 1951 and 1952 before the Subcommittee on Internal Security of the United States Senate Committee on the Judiciary, this Committee concluded in its report dated July 2, 1952, that while most members of the Institute of Pacific Relations (including the American Council of the Institute of Pacific Relations), succeeded by the American Institute of Pacific Relations, Inc., and its Board of Trustees were inactive and without any influence over the policy of the organization, and while the names of eminent individuals were by design used as a responsible and impressive screen for the activities of the Institute of Pacific Relations inner core, the activities, administration and policies of the Institute of Pacific Relations were controlled by a small core of Communists or pro-Communists.

An article in the "Washington Star," Washington, D. C., February 8, 1949, reflected that the Economic Cooperation Administration had asked Congress to eliminate the loyalty provision that barred persons who had been members of organizations on the Attorney General's subversive list. The proposed change was to alter the requirements that Administrator Paul G. Hoffman must testify in writing to both foreign relations committees in Congress that he believed his employees were "loyal to the United States, its Constitution and form of Government." According to the instant article, Hoffman stated that he didn't consider past membership in an organization now considered subversive to be "a public test of loyalty."

(77-58960-63)

Erwin Nathaniel Griswold, Dean of Harvard Law School;  
Member of Board of Directors: The April 19, 1948, issue of the "New York Herald Tribune" contained an article which indicated that 45 law school teachers had appealed to the House Committee on Un-American Activities to grant a fair hearing to Dr. Edward U. Condon, Director of the National Bureau of Standards, whom the Committee had accused of being a "weak link" in the nation's atomic secret security. One of the signers of the letter making this appeal was Dean Griswold of the Harvard Law School.

A release issued by the "Committee of One Thousand," New York, New York, in May, 1948, stated that a group of 140 noted educators, clergymen, artists, professional and business people condemned the House Committee on Un-American Activities for its treatment of Dr. Condon and called for the Committee's abolition because it "directly menaces freedom of conscience and expression." Among the individuals who condemned the Committee in this matter was Erwin H. Griswold, Dean, Harvard Law School.

The "Committee of One Thousand" was cited by the California Committee on Un-American Activities as "a Communist created and controlled organization."

Erwin Griswold attended one of the sessions of the first Alger Hiss perjury trial in 1949. During an intermission, he conferred with a group of people in the corridor of the Court House which included Mr. and Mrs. Alger Hiss, one or more of Hiss' attorneys, and several other unidentified individuals.

Alger Hiss was indicted on December 15, 1948, by a Federal Grand Jury in New York City on two counts of perjury. He was convicted by a Federal Court on January 21, 1950, and sentenced to five years in a Federal prison. He began serving his sentence on March 21, 1951, and was conditionally released on November 27, 1954.

The Washington "Times-Herald" issue of March 7, 1950, carried an article captioned "Twenty Harvard Professors Tied to Reds." This article pointed out that half of the then present teaching staff at Harvard Law School were graduated when Justice Felix Frankfurter was a professor and also pointed out that several of these professors were associated with Alger Hiss, Class of 1929. Among those listed in the article was Dean Erwin N. Griswold, Class of 1928.

The "Boston Herald" of March 5, 1951, contained an article indicating that Harvard University had been urged by Samuel P. Sears, President of the Massachusetts Bar Association to stop "encouraging and playing host to the Communist Party." Mr. Sears, according to the article, had directed a letter to Griswold as Dean of the Law School, protesting the University's attitude of tolerance toward enemies of the republic and demanded the dissolution of the Harvard Lawyers Guild,

an affiliate of the National Lawyers Guild. On March 6, 1951, the "Boston Herald" carried an article which stated that Dean Griswold, in reply to Mr. Sears' letter, stated that the Harvard Law School would take no action for suppressing the Harvard Lawyers Guild, stating that he felt it would be an improper interference with the legitimate freedom of the Harvard students to take any action towards suppressing any activity of the Harvard Lawyers Guild.

The National Lawyers Guild has been cited as a Communist front by the House Committee on Un-American Activities. (62-94966-9).

John Lord O'Brien, Attorney, Washington, D. C.; Member of Board of Directors: On January 23, 1948, Mr. O'Brien made an address on "Loyalty Tests and National Unity" at the 71st Annual Meeting before the Association of the Bar of the City of New York, in which he discussed loyalty tests as a threat to our constitutional theory of the rights of the individual. During the address, Mr. O'Brien criticized the Loyalty program and certain phases of its administration.

Robert Emmet Sherwood, Author; Member of Board of Directors: Robert Emmet Sherwood has been affiliated with the New Theatre League, 1941; the National Institute of Arts and Letters, 1948. Both of these organizations have been cited by the House Committee on Un-American Activities as Communist front groups. One Robert Sherwood was a member of the Civil Rights Congress in 1952. The Civil Rights Congress has been designated by the Attorney General pursuant to Executive Order 10450. In 1941, Sherwood was connected with "Free Company" alleged by the American Legion to have put on communistic plays and broadcasts. In 1949, he was named by a Senate subcommittee as one who was prominent in Communist front movements. In 1950, he signed a statement requesting reversal of conviction for contempt of Congress concerning the "Hollywood Ten," a group of individuals from Hollywood, California, who had been convicted for contempt of Congress in refusing to testify concerning subversive activities.

Walter Willis, former Editorial Writer and Columnist for New York Herald Tribune; Consultant to the Fund: The "New York Times" of May 18, 1948, contained a full-page advertisement sponsored by the National Council of American-Soviet Friendship, Inc., which was an open letter to the American people protesting against the then current wave of anti-Soviet slanders and calling for complete national unity to win the war. Among the 700 "leading Americans" who signed this

letter was one Walter Millis, not further identified, whose name also appeared on a list of sponsors of a rally held at Carnegie Hall, New York City, on May 20, 1943, sponsored by the National Council of American-Soviet Friendship, Inc.

The National Council of American-Soviet Friendship, Inc. has been designated by the Attorney General pursuant to Executive Order 10450.

The other members of the present Board of Directors are:

Harry S. Ashmore, Executive Editor,  
Arkansas Gazette,  
Little Rock, Arkansas

Charles W. Cole, President, Amherst College,  
Amherst, Massachusetts

Arthur H. Dean, Attorney, Sullivan & Cronwell,  
New York, New York

Russell L. Dearmont, Attorney, St. Louis,  
Missouri

Robert M. Hutchins, President, The Fund for  
the Republic, Inc.

William H. Joyce, Jr., Chairman of the Board,  
Joyce Inc., Pasadena,  
California

Meyer Kestnbaum, President, Hart Schaffner &  
Hart, Chicago, Illinois

M. Albert Linton, Chairman of the Board,  
Providence Mutual Life  
Insurance Company,  
Philadelphia, Pennsylvania

Jubal R. Farten, President, Woodley Petroleum  
Company, Houston, Texas

Elmo Roper, Elmo Roper & Associates, New York,  
New York

Mrs. Eleanor B. Stevenson, Oberlin, Ohio

Projects and Studies Sponsored by the Fund for the Republic

History of the Communist Party in the United States (1919-1945); Theodore Draper, New York, New York, a writer, testified before a Congressional committee in May, 1954, that he had been a member of the National Student League in college and that in 1934, he met Harry Gannes, foreign editor of the "Daily Worker," and became his assistant on that paper. Draper testified that while he was on the "Daily Worker," he used the name Repard. He left the "Daily Worker" in 1936 and went to "New Masses" as foreign editor where he remained until 1939. He stated that he had never been a member of the Communist Party but until 1941 followed the Communist Party line and was considered to be a Communist by others. During the time he was associated with Communists, he considered himself a fellow traveler. (100-362227-6)

In August, 1954, Draper stated that his brother, Harold Draper (Aaron Dubinsky), was at that time editor of "Labor Action," the official organ of the Workers Party. The Workers Party has been designated by the Attorney General pursuant to Executive Order 10450.

Draper also stated in August, 1954, that he had contributed to the publication "Friday" which publication has been cited by the House Committee on Un-American Activities as Communist controlled and he has also contributed to the publication "China Today." "China Today" has been cited by the California Committee on Un-American Activities as a magazine "published by the Communist front, Friends of the Chinese People, at 168 West 23rd Street, New York City."

Communism and Religion; Ralph Lord Roy, Union Theological Seminary, New York, New York; and Paul A. Carter, Instructor of History, Columbia University; Ralph Lord Roy and Paul A. Carter, according to "The Washington Post and Times-Herald," February 25, 1955, submitted a letter to the editor of that paper in which they stated they were preparing a study on Communism in the churches sponsored by the Fund for the Republic and asked persons with information on documented evidence of actual Communist attempts to infiltrate the churches or make use of clergymen, or examples of false and irresponsible charges of Communist influence on religion in America to contact them. This letter was also carried in Dallas, Texas, newspapers. The American National Research Report, a Dallas, Texas, bimonthly publication, noted that the authors of the letter did not ask for information on subversive activity among clergymen but for "examples of false and irresponsible charges...."



Special Committee on the Federal Loyalty-Security Program  
of the Association of the Bar of the City of New York

Among the members of this Special Committee to study the Federal Loyalty-Security Program are Monte M. Lemann, a New Orleans, Louisiana, attorney, and Whitney North Seymour, a New York City, attorney.

Monte M. Lemann

The "Southern News Almanac," April 13, 1940, listed Lemann as a sponsor of the second Conference for Human Welfare, held by the Southern Conference for Human Welfare, April 14-16, 1940, at Chattanooga, Tennessee. The Southern Conference for Human Welfare has been cited as a Communist front by the Special Committee on Un-American Activities.

The "Times-Picayune," November 15, 1943, and the "New Orleans States," November 5, 1947, both New Orleans, Louisiana, newspapers, carried articles concerning the New Orleans Council of American-Soviet Friendship and listed sponsors of that organization. In both instances Lemann, among others, was listed as a sponsor of the New Orleans Council of American-Soviet Friendship. The National Council of American-Soviet Friendship has been designated by the Attorney General pursuant to Executive Order 10450.

In 1951, Lemann admitted that he had been a member of the Southern Conference for Human Welfare but immediately withdrew when the House Committee on Un-American Activities listed this organization as a Communist front. He also said that he had been a member of the New Orleans Council of the National Council of American-Soviet Friendship but immediately withdrew when the Attorney General of the United States listed this organization as subversive.

Whitney North Seymour

Whitney North Seymour has been affiliated with the American Russian Institute for Cultural Relations with the Soviet Union, 1937-1938; International Labor Defense, 1937-1938-1939, both of which organizations have been designated by the Attorney General pursuant to Executive Order 10450.

He has also been affiliated with the International Juridical Association, 1936-1937; National Lawyers Guild, 1937; Russian War Relief, 1941. The Russian War Relief has been cited by the California



Committee on Un-American Activities as "in every respect a satellite front of the Communist Party...." The National Lawyers Guild and International Juridical Association has been cited as Communist fronts by the House Committee on Un-American Activities.

Studies of Loyalty Security Programs; Professor Ralph S. Brown, Jr. The December 7, 1949, issue of the "Bridgeport Herald," the weekly newspaper of Bridgeport, Connecticut, and the July 11, 1952, issue of "Counterattack," anti-Communist publication, both carried items stating that Ralph S. Brown, Jr. opposed the Government loyalty program.

Brown was co-author of an article in the July, 1953, "Yale Law School Journal" which attacked the Post Security Program and criticized the Coast Guard Screening Board for relying on confidential informants of the FBI whose identities were not revealed.

Case Studies in Personnel Security; Adam Yarnolinsky, Washington, D. C., attorney. A Washington City News Service Release, June 3, 1955, reported that Adam Yarnolinsky, attorney for the Fund for the Republic, was critical of the Administration's Security Program in defense plants, stating that it has "serious defects" and lacks "common sense standards." Yarnolinsky spoke at a Conference on Personnel Security Programs in United States Industry held June 3, 1955, in Washington, D. C., and sponsored by the Washington Chapters of the Industrial Relations Research Association and the Political Science Association. He stated his assertion was based on a survey of Federal security methods which his organization had been making and that his studies showed a lack of "effective system to weed out gossip, slander and argant nonsense" from charges brought against individual employees.

Blacklisting in the Entertainment Industry; Paul Jacobs, Hollywood, California, representative of this survey for the Fund for the Republic. He has admitted activity in the Young Communist League in 1933 and 1934 until he was expelled for Trotskyite activities. He was a subscriber to the "Daily People's World" in 1948 and "New International" official organ of the Independent Socialist League in 1952. The Independent Socialist League has been designated by the Attorney General pursuant to Executive Order 10450.

In a speech on March 14, 1953, at the University of California, Los Angeles, he criticized FBI investigations stating "they do their job of investigating but not very well." He also criticized FBI's use of wire tapping; complained that Gus Hall,

Communist Party leader convicted in New York City in 1949, had not been afforded his constitutional rights when dragged across the border; told those filling out loyalty oaths to admit past affiliation with cited groups and criticized the House Committee on Un-American Activities investigations for depriving private citizens of employment.

#### Analysis of Testimony Relative to Communism

In May, 1955, the Fund for the Republic authorized a grant of \$25,000 to the Stanford University School of Law for an analysis of the testimonies of leading witnesses in proceedings relative to Communism. On August 22, 1955, it was announced that this study will be directed by Herbert L. Packer, a member of the New York Bar and Supreme Court Bar, who will work in Washington, D. C., until January 1, 1956, and then as a member of the Stanford faculty.

The Dean of the Stanford University Law School is Carl B. Spaeth. During 1945 and 1946, while in Washington, D. C., Spaeth was in frequent contact both as a State Department representative and on a personal basis with individuals who have been connected with a Soviet espionage ring operating in Washington, D. C., in the early 1940's. (65-56402)

In January, 1949, Spaeth stated that during 1947, he came to know Alger Hiss intimately and he had had many long discussions with him but stated that he had no knowledge of Communist activities on the part of Hiss. (74-1333-1798)

The Institute of Pacific Relations held its 11th conference at Lucknow, India, from October 3 to October 4, 1950. Delegates from Institute of Pacific Relations Councils in nine countries, as well as guest members from seven countries, attended this conference. Carl B. Spaeth was a member of the United States delegation to that conference. (100-64700-736)

In a radio broadcast on August 30, 1955, Fulton Lewis, Jr., in discussing the Fund for the Republic and Carl B. Spaeth, stated that Spaeth was a great enthusiast on India and wanted to devote \$600,000 of another direct grant from the Ford Foundation to study constitutional and legal problems in India.

#### Study of the Communist Record

The annual report of the Fund for the Republic notes that the Fund granted \$64,500 for a study of public records concerning Communism. The report also shows that the staff director of this

project is Charles E. Corker of Stanford University. Corker received an LL.B. degree magna cum laude from Harvard University in 1946. He subsequently became affiliated with the Stanford University Law School before returning to Harvard University in the Fall of 1953 to accept a position with the Fund for the Republic.

In February, 1954, it was reported that the 4th California District Court of Appeals had been contacted by the Fund for the Republic through Corker to provide information on several specific cases concerning Communism handled by the Court. (100-391697-29)

Dissemination of Propaganda Concerning Subjects of Interest to the Fund

In May, 1955, \$200,000 was authorized by the Fund for the Republic for a television series featuring "Herblock" (Herbert Lawrence Block), cartoonist for "The Washington Post and Times-Herald."

The "Los Angeles Daily News" dated December 3, 1947, carried an article captioned "Filmland Ominous Pattern." The article stated in part that cartoonist "Herblock" had some pointed things to say about the firing of the ten Hollywood writers charged with Contempt of Congress. Block stated the movie industry, in ordering the firing, was beating itself over the head.

In an article by O. J. Dekon appearing in the March, 1948, issue of "Plain Talk," entitled "Behind the Riddle of the Washington Post," Dekon gives his opinion of the "Post" after it "turned to the left during the early days of the war." Dekon mentioned that cartoonist Herbert Block was a member of the "liberal" faction of the "Post." (XBXKXBBXKX) (KXKXKX9838X) ((94-46522-1)

Fellowships and Grants-In-Aid

A grant-in-aid for a study of "undesirable" discharges of drafted servicemen based on allegations regarding preinduction activities or associations was given Roland Watts, a member of the Maryland Bar and since 1947, National Secretary of the Workers Defense League. The Workers Defense League is an organization which has acted as the defense movement of the Socialist Party.

Watts, in 1943, became the President of the Maryland Council for Conscientious Objectors and represented other conscientious objectors in court. He served a three-year term as a conscientious objector during World War II. He has participated in anticonscription activities and pacifist organizations. He has also been active in

the campaign to have organizations of Trotskyite origin removed from the Attorney General's subversive list and has represented seamen who have been screened off merchant ships as security risks.  
(100-419856)

Distribution of Books, Articles and Other Material

Some of the materials distributed by the Fund for the Republic are noted hereinafter:

Bulletin of the Atomic Scientists - 25,000 copies of a special issue of this Bulletin on loyalty and security were issued by the Fund for the Republic. The Board of Sponsors of this publication includes J. Robert Oppenheimer as Chairman. Oppenheimer has had his security clearance removed by the Atomic Energy Commission.

Government by Investigation - This is a book authored by Alan Barth. 850 copies of this publication were sent to lists selected by the publisher. With reference to Alan Barth, Senator Barry M. Goldwater of Arizona, stated in the United States Senate on March 29, 1954, "For years, Barth has denounced loyalty programs, and his heart has bled for Communists, their stooges, spies, and persons whose acts were akin to treason."

Grand Inquest - This is a book by Telford Taylor of which 250 copies were furnished to the Federal bench. It was the opinion of one Federal judge who received this book that after it was read by the judges who heard cases involving Communists, it could very easily sway the opinion of these judges to be lenient with the Communists.

In 1948, Representative Dondero of Michigan, made charges that Taylor's staff at Nuremberg was "penetrated by left wingers." In 1952, he stated that Taylor was one of Max Lowenthal's "stooges." Representative Dondero charged, in the House of Representatives, that Max Lowenthal, whom he described as the writer of books smearing the FBI and as an associate of Communists and fellow travelers, was responsible for a plot to curb Government prosecution of Communists.  
(100-36077-2; 100-391697-98)

The Fifth Amendment Today - This is a book by Erwin N. Griswold, 35,000 copies of which were furnished to judges and members of the Bar. Information concerning the author, Erwin N. Griswold, appears on page 7 of this memorandum.

The Kept Witness - This was an article by Richard H. Rovere which appeared originally in "Harper's" magazine, May, 1955. 25,000 copies of this article were furnished to labor officials and business

executives. This is reported to be a vicious and obutous slander article containing many false statements and inferences.

Who's Who in America, 1954-55, states that Rovere has been a contributing editor of "Harper's" magazine since 1949. He has been employed as associate editor of "New Masses," 1938-39; assistant editor of "The Nation," 1940-43; editor of "Common Sense," 1943-44, and staff writer of "The New Yorker" since 1944. "New Masses" was described by the House Committee on Un-American Activities in its report of March 29, 1944, as a "Nationally circulated weekly journal of the Communist Party---whosw ownership was vested in the American Fund for Public Service (Garland Fund)." In an article appearing in the October 3, 1942, issue of "The Nation," captioned "J. B. Matthews - The Informer," Rovere was highly critical of Matthews, then Research Director for the Dies Committee. Rovere stated in that article, "Most informers are moved either by spite against their former friends or by a simple desire to save their own hides. Matthews is inspired by a spite so great that it has become an almost dssinterested zeal."

To Insure the End of Our Hysteria - This is an article by Paul G. Hoffman, which appeared in the "New York Times" magazine and which is another of the publications distributed by the Fund for the Republic. Ten thousand copies of this article were distributed to two recipients, one of which was the Emergency Civil Liberties Committee. With ref rence to the Emergency Civil Liberties Committee, the "Daily Worker" newspaper, issue of October 8, 1951, quoted James Imbrie, acting secretary, as stating that the purpose of this Committee would be to help mobilize public opinion in support of the traditional American constitutional guarantees of Civil liberties and to render aid to victims of abridgment of these liberties in politics, education and the professions.

The January 26, 1953, issue of "The New Leader," a self-styled Social Democrat weekly magazine, contained an editorial which stated "Pro-Communists are still posing as champions of American Civil Liberties and - despite the efforts of Stalin, Gottwald, Mao and Kim Il-Sung - can still get a handful of American liberals to do their bidding. The last Red snare is the Emergency Civil Liberties Committee which is holding a Bill of Rights conference, January 30-31 1953, in New York.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY SP8 BTJ/ag

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**CHANGED TO**  
100-418797-1 ✓

NOV 3 - 1955







Mr. Nichols

September 27,  
1955

W. A. Jones

FULTON LEWIS BROADCAST

EXAC

7:00 p.m., SEPTEMBER 27, 1955

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/79 BY SP8 BTJ/d

The first ten minutes of the Fulton Lewis broadcast tonight was devoted to commenting on the President's health, political ramifications of the President's condition and other topics germane to this issue.

In speaking of Vice President Nixon, Mr. Lewis took the "Washington Post and Times Herald" over the coals for their recent attack against Vice President Nixon. He said the Washington Post and Times Herald had devoted a major part of its editorial section recently to the Vice President and it was one of the most vicious attacks he had ever seen in public print against anyone. There were several articles about why he was not liked in Congress which were not true, and other stories about his ability and his personal life with a cartoon by Herblock, "who is under contract to the 'Fund for the Republic' for \$200,000 for television series this fall, which was particularly vicious." He said the cartoon pictured a rather tired looking President Eisenhower looking thin and frail, and on the President's shoulder was a fat gangster portrayal of the Vice President with arms around Mr. Eisenhower's neck. The title of the cartoon was "You Are Going To Run Again, Aren't You?"

Mr. Lewis stated that actually the President has a very high personal regard for Nixon and "whatever the Washington Post, Herblock, the New York Post, and the Daily Worker may try to make the public believe," that Nixon is a particularly seasoned and successful campaigner in his own right, "make no mistake about that."

Lewis stated that Nixon was marked because he was one of the leading and most effective figures in the anti-Communist investigating committees of Congress and such elements mark anyone who enters the field and tries to drive them out of public life.

cc-Mr. Nichols  
cc-Mr. Boardman  
cc-Mr. Belmont

cc-Fund for Republic file (100-341697)

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September 27, 1964

Mr. Lewis went on to state that these elements have tried unsuccessfully to get Mr. Nixon out of the political picture. They tried three years ago and have again started him for destruction. "They will try their worst with no holds barred this time. They have the \$15,000,000 of the 'Fund for the Republic' behind them and a year in which to work, which brings us another little item. I have here before me a dispatch which came through on the United Press wire last night at 8:25 p.m. under a Little Rock, Arkansas, dateline which reads as follows:

"Harry S. Ahmors, Executive Editor of the Arkansas Gazette, announced today that he will begin a leave of absence in early October to become a personal assistant to Adlai S. Stevenson, 1952 Democratic presidential nominee."

Mr. Lewis then quoted Ahmors as saying: "This does not necessarily mean that Governor Stevenson has made a final decision concerning his availability for the nomination." Ahmors said that Stevenson asked him to assist in developing the issue for the 1968 election. Mr. Lewis stated that as titular head of the party the Governor intended to take on major part in the campaign whatever his personal role might be. Lewis said he thought it a fair assumption that this was indicated that Mr. Harry Ahmors, who has been a very controversial figure in newspaper circles because of his extreme liberal views, is going to involve himself in direct and specific politics in connection with the forthcoming Presidential election.

Mr. Lewis then said: "Now let me read to you from the annual report for the 'Fund for the Republic.' The list of directors, with Paul S. Hoffman as chairman of the Board, Harry C. Ahmors, Executive Editor, would seem to mean that Mr. Adlai Stevenson will have a pipeline to the 'Fund for the Republic' and its lush \$15,000,000 of free cash from the Ford Foundation. I rather think that Mr. Henry Ford and his son, Edsel, would be turning over in their respective graves if they knew that the money they left to be spent for the public welfare and general good of the people is being expended as it is. And I would think also that Mr. F. Coleman Andrews, the Commissioner of Internal Revenue, would be looking very carefully into this 'Fund for the Republic' and all of its activities to find out whether perhaps it is not just a political propaganda fund devoted to influencing the coming election.

#### RECOMMENDATION:

None. For information only.

BY FULTON LEWIS, JR.

xx legislation.

I am convinced it is attempting to create a public opinion favorable to repeal of statutory provisions for any and all forms of personnel security programs, in or out of government; that, as a precedent to conditioning the public to that opinion, it is trying to sell the idea that there never has been any domestic Communist threat, that the whole thing is a myth; that it adopts in toto the theory that the Communist Party, U.S.A., is a legitimate political movement, rather than the foreign-directed subversive conspiracy which Congress, the Executive Branch and the Courts have held it to be.

The American people at this point obviously do not agree but the Fund For The Republic, under Hutchins' direction, is trying to swing them around by propagandistic use of its tax-free \$15,000,000.

Here are Hutchins' own words:

"...Critics of the foundations in this country, who represent the extreme right wing of American politics, and who are constantly in full cry against all efforts to extend the scope of governmental action, have repeated over and over again, with the evident intention of getting it accepted as an axiom, the proposition that tax-exempt money is 'your' money. This means that detailed governmental supervision of the foundations is necessary: the Government must see to it that your money is properly spent."

He carries the thesis to its extreme, even arguing that if a Congressional Committee can determine that a "philosophical position can be treasonable," then "freedom of teaching, preaching, discussion and thought may not be with us long."

A Congressional Committee does not enact any law, but if it persuades Congress, then Congress enacts the law. Congress has enacted the law providing the tax-exemption for legitimate philanthropic foundations.

"Extreme right wing," left wing or whatever, I do believe, and I think most Americans also do, that the government has a proper and unquestioned right to determine whether foundations enjoying that tax-exempt privilege are complying with the law.

I'm afraid Dr. Hutchins would have a hard time convincing me

ise.

###

(ONLY FOR PAPERS PURCHASING LEWIS COLUMN. OTHERS MUST NOT USE.)

(CAUTION: ADVANCE LEWIS COLUMN FOR RELEASE MONDAY, SEPTEMBER 26,

A.M. AND P.M. PAPERS. MUST NOT BE PUBLISHED BEFORE THAT DATE.)

WASHINGTON REPORT

BY FULTON LEWIS, JR.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY SP8/SJS/lap

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file  
9/23

WASHINGTON, SEPT. 25--Dr. Robert Maynard Hutchins, president of the tax-free \$15,000,000 Fund For The Republic, objects to having the millions on which the Fund pays no taxes whatsoever regarded as "your" money -- meaning us taxpayers.

I pay taxes. For every dollar of taxes which the Fund For The Republic and other tax-exempt organizations normally would pay but do not because of their tax-exempt status, the rate of taxes paid by all others, including me, must be raised enough to make up for the dollars not collected from the tax-exempts.

That may not make the Fund's 15 million dollars mine (as much as I would enjoy having it, even fully taxable), but it certainly does give me a proprietary interest in it and a feeling that I at least have a right to see whether it is being spent for the purposes which form the basis for its enviable tax-exempt status.

Assuming you are a taxpayer too, as all of us are, it should give you the same proprietary interest in checking on the objectives for which the \$15,000,000 are being spent.

The tax exemption for the Fund For The Republic and all other organizations enjoying the same public-interest status is based on section 101 (6) of the Internal Revenue Code. It says:

"Corporations, and any community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation."

In recent weeks I have been doing a great deal of inquiring into the activities of the Fund For The Republic. As a result, I am convinced that a "substantial part" -- in fact, almost all -- of its activities are "carrying on propaganda, or otherwise attempting to influence legislation."

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NOT RECORDED

21 SEP 27 1955

52 OCT 4 1955

(MORE)

100-391697-182

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: September 23, 1955

FROM : M. A. Jones

SUBJECT: FULTON LEWIS, JR.  
RADIO BROADCAST  
7:00 P.M., SEPTEMBER 22, 1955ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 5/29/84 BY 8269d/puf/ra

wmp 227992

JPS 513 7-26-89

Tolson  
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Nichols  
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Parsons  
Rosen  
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Holloman  
Gandy

Fulton Lewis, Jr., in his broadcast stated substantially as follows: Senator Dirksen of Illinois said last night the recent Australian espionage reports have demonstrated the necessity for an absolute tight security system in the U. S. Senator McCarthy in a letter to the President called on the President to assume personal leadership in the fight against the destruction of our Government's Security Program, which he said is gravely threatened. He mentioned particularly the Fund for the Republic, which he pointed out is headed by the President's personal friend and advisor, Paul D. Hoffman, as Chairman of the Board. The whole thing constitutes a political attack and conspiracy against the President's administration and the so-called liberal press gleefully plays up selected cases in which employees of the Government have not received fair treatment and attempts to make it appear that the entire administration of the Government Security Program is arbitrary, brutal and unintelligent, (ph). He said the method used by the Fund for the Republic in evaluating the security program is to compile alleged selected grievances from attorneys of the people involved with no information on the Government's side of the story and to publicize these by way of proving that the Government Program is a political witch hunt.

Lewis said this is exactly what is happening and unless someone in a position of leadership does step in to expose the combined conspiracy and progress with \$15,000,000 of Ford Foundation money to finance it, these propagandists are going to be able to convince the public that the whole idea of a Government Security Program is a bad thing and thus get rid of it, which has been their real objective all along. The Fund for the Republic is directing its every effort along these lines.

This is a carefully designed, heavily financed project quite deliberate to propagandize the political views of its leaders, notably Mr. Robert M. Hutchins who is a natural crusader against the basic system of security clearances or loyalty oaths or any other restrictions of any kind that would safeguard the country against infiltration. Mr. Hutchins has just made a speech to the American College of Hospital Administrators in Atlantic City in which he took exception to the idea that the money in the hands of his Fund for the Republic is your money. He said that means that the pay of supervision of Foundations is necessary, that the Government must see to it that your money is properly spent, and he objects to that.

cc - Mr. Nichols  
cc - Mr. Boardman  
cc - Mr. Belmont

ELJ:nma

(100-391697)  
Ford Foundation

RECORDED - 77

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EX-107

17 SEP 28 1955

UNRECORDED COPY FILED IN 100-391697-100

This is what he said: If a Congressional committee may grant and analyze the thoughts of the recipient then Congressional committees may follow your money when it supports speeches and teachers and seeks to analyze and control their thoughts too. If a philosophical position can be treasonable and if the majority of a Congressional committee can make it so, freedom of teaching, speeches and preaching discussions and thought may not be long with us.

Now just consider how dangerously clever that is. In the first place, nobody has ever suggested that a Congressional committee is going to supervise the spending of money by the Foundation, and Mr. Hutchins knows that. He knows that the Government is not going to do any detailed supervision. He knows that the law under which his Foundation exists and operates does provide that the Government must see to it that the money is properly spent. He knows that if the Government finds that he is not spending it properly, which means in the general public welfare, the Government steps in and takes a hand as it should from a standpoint of tax exemption.

Of course, a philosophical position can be treasonable, and anyone who questions that fact is either a knave or a fool. Treason is, in itself, a philosophical position, a point of view, or purpose. So far as I am concerned, these expressions merely emphasize and illustrate just how dangerous an individual Mr. Hutchins is to be in the position he occupies.

In connection with the operations for the Fund for the Republic, Mr. Hutchins makes this astounding statement, in the annual report which may throw some light on his thinking and his general mental atmosphere: A political party in this country has been identified with the enemy. Those associated with this party have, therefore, come under suspicion as an imminent danger to the state. In view of the weapons now available and of the examples of subversion that other countries have offered, the danger has seemed as great, though often mysterious and intangible. It has appeared that terror to the country could be dealt with only by methods as drastically departed from those which have characterized Anglo-American jurisprudence. The range of suspected persons has been enormously extended by resort to guilt by association. The evidence offered to show that a man is a danger to American institutions has often been remote. The treatment accorded suspected persons in Congressional investigations and administrative hearings has not always been that contemplated by the Sixth Amendment. The political foundation on which Mr. Hutchins and his assistant, Mr. W. H. Perry, are operating in spending the \$15,000,000 of the Fund for the Republic, was questioned by Lewis as Lewis observed that Hutchins resented anyone suggesting that there should be the slightest restriction of limitations on that spending or even that is the public's money and that it should be spent in public interest.

#### RECOMMENDATION:

None. For information.

✓ [Handwritten signature and initials]

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

FROM : *E. J. Connelley* SAC, Albany (100-0)

SUBJECT: Dr. CLINTON ROSSITER  
INFORMATION CONCERNING

DATE: September 28, 1955

FUND FOR THE REPUBLIC

Enclosed for the Bureau's information is a clipping from the Ithaca Journal, Ithaca, New York, of September 16, 1955, containing comments of Dr. ROSSITER, who is heading a group studying Communist influence in American life.

Encl. (1) *ENCL.*  
JDJ:bar  
(3)  
REGISTERED MAIL

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY SP8 BTJ/af

EX-122  
RECORDED - 73  
INDEXED - 73

SEP 29 1955

11 1955



# Rossiter Tells Of Browder Role in Study

A Cornell University professor, heading a group of 12 scholars studying Communist influence in American life, says former U. S. Communist chief Earl Browder was paid to be interviewed.

Dr. Clinton Rossiter told an Associated Press reporter Thursday night that Browder was "among dozens" interviewed so far in the inquiry.

Rossiter said Browder was paid only for his information and that Browder would not contribute to the group's report as an author, consultant or researcher.

He was paid a "standard fee—principally because he agreed to give us a number of interviews," Rossiter said.

The Fund for the Republic, a corporation formed by the Ford Foundation, had commissioned Rossiter a year ago to study Communist influence in major areas of American life.

Rossiter, a professor of government, said the study would be "as objective as a group of loyal Americans can make it."

Browder headed the Communist Party in the United States for many years until he broke with Moscow. Rossiter said an interview with him was arranged after "we found out that Browder might be willing to talk with us."

"We will talk to hundreds of sources before the work is completed," Rossiter said. "We will try to tell the whole story—in our own way and in our own time . . . all our findings will be published, no matter what we find."

Rossiter asserted that the fund had given him a free hand in the survey. He said he would not have undertaken it without complete liberty of thought.

The survey might take several years to complete, he said.

The group is "entirely free of any pressure from any source," Professor Rossiter pointed out.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY 88873 JLB

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ITHACA JOURNAL

PAGE 5

COL. 5

DATE 9/16/55

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SEP 27 1955	
FBI - ALBANY	

100-391691-184

ENCLOSURE



## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: September 21, 1955

FROM : Mr. A. Jones

SUBJECT: FULTON LEWIS, JR.  
BROADCAST, WWDC  
7:00 P. M.  
SEPTEMBER 21, 1955ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-87 BY 60320

Fund For The Republic

Fulton Lewis, Jr., in his broadcast this date spent the early portion dealing with the Argentine Revolution and closed his broadcast announcing the \$25,000 grant by the U. S. S. R. to the American Red Cross for flood relief.

The remaining portion of the broadcast dealt with the Fund for the Republic. Lewis stated that the Fund for the Republic distributed a document which was labeled at the top of each page as a Report on the Security Problems released by the Subcommittee of the Senate Committee on Government Operations considering senate resolution twenty-one. (SR21)

This document was distributed by the Fund for the Republic after August 2, 1955, to Federal Judges throughout the U. S. The report is an attack on the security system of the Federal Government. The main portion of the document is a copy of part of the June 27, 1955, issue of the Congressional Record. The portion copied was reproduced intact. Each page, however, was labeled as a report of the subcommittee mentioned above.

An important omission was made by not including an identifying paragraph that actually this was not a report of the subcommittee but merely a statement by Senator Hubert Humphrey of Minnesota which was placed by him into the Congressional Record. The statement was actually written by one Harold T. Green, according to Mr. Lewis.

Senator Humphrey's office was contacted by the Fund for the Republic for permission to reproduce this statement. The reproduction, however, labeled it as the report of the subcommittee. When this was called to the attention of Senator Humphrey's office, his office contacted the Fund for the Republic pointing out that this was merely a statement by Senator Humphrey and not a report by the subcommittee. After this, the Fund for the Republic then sent cards to the original recipients of the document retracting the portion labeling the document as the report and advising that it was merely a statement by Senator Humphrey.

cc - Mr. Boardman  
cc - Mr. Nichols  
cc - Mr. Belmont

Fund For The Republic File (100-391699) OCT 6 1955

HEH:age 1m  
(7)

CRIME REC

Jones to Nichols memo

September 21, 1955

No mention was made by Lewis that this was a windup of his discussion of the Fund for the Republic nor did he indicate any intention to further discuss this organization.

RECOMMENDATION:

None. For information.

WHL  
gm ✓

Amer. Legion Mag. Nov. 1954

# THE REDS' "MASTER PLAN"

ALL INFORMATION CONTAINED

Blueprint For UNCLASSIFIED Capture

DATE 7-26-89 BY 2058 BTJ/af

- "A. CORRUPT THE YOUNG, get them away from religion. Get them interested in sex. Make them superficial, destroy their ruggedness.
- B. GET CONTROL OF ALL MEANS OF PUBLICITY, and thereby:
- (1) Get people's minds off their government by focusing their attention on athletics, sexy books and plays and other trivialities.
  - (2) Divide the people into hostile groups by constantly harping on controversial matters of no importance.
  - (3) Destroy the people's faith in their natural leaders by holding the latter up for contempt, ridicule and obloquy.
  - (4) Always preach true democracy, but seize power as fast and as ruthlessly as possible.
  - (5) By encouraging government extravagance, destroy its credit produce fear of inflation with rising prices and general discontent.
  - (6) Foment unnecessary strikes in vital industries, encourage civil disorders and foster a lenient and soft attitude on the part of government toward such disorders.
  - (7) By specious argument, cause the breakdown of the old moral virtues, honesty, sobriety, continence, faith in the pledged word, ruggedness.
- C. CAUSE THE REGISTRATION OF ALL FIREARMS on some pretext, with the view to CONFISCATING THEM AND LEAVING THE POPULATION HELPLESS."

The above document was obtained from State Attorney, George A. Brautigan, by Joe Jenkins, immediate Past Department Commander of Florida. It is an official Communist Party "Rules for Revolution". It is reprinted from the November 1954 issue of the American Legion Magazine.

Because Patriotism is not a business, all those who contribute material to this newspaper do so on a free and voluntary basis.

We also thank all those who

every we sent to me throughout the out this regular experiment in Patriotism would not be possible

## UNESCO - National Suicide

We Americans are good people...we are trusting people...we neighborly people... we like to help our neighbors... AND, we believe that words mean what they say!

The power-mad Internationalists have taken those shining qualities of Americans and have perverted them and TURNED THEM INTO WEAPONS WITH WHICH TO DESTROY AMERICA.

When we first heard about the United Nations, it was to be "hope of the world". It was to bring "lasting peace". All nations would be brothers. America, tying up her wounds and burying dead after World War II, wanted to be convinced that the answer in the United Nations, where all nations would sit down together settle the world's problems.

While the newspapers blared headlines of the organizational meeting of the United Nations in San Francisco in 1945, the real plans WORLD CONQUEST were being laid.

100-391697-185

"International understanding" was the catch-phrase devised to throw us off our guard. We would be isolated from the other nations of the world... we would be outcasts in the "family of nations" if we did not join the UN. Those were pretty stern words to tell the friendly American People. We didn't want to be "shunned", so we went along, trustingly.

Abraham Lincoln said: "If this nation is ever destroyed it will

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HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY 20867J/AL

IF WE ARE TO BE THE INSTRUMENT OF THY WILL, O LORD, PLEASE HELP US



# THE MINUTE WOMEN

## of the U.S.A., Inc.



WHEELING, WEST VIRGINIA

AUGUST NEWSLETTER, 1955

NUMBER 7

THE PEN IS MIGHTIER THAN THE SWORD — BUT THE TRUTH IS MIGHTIER THAN THE PEN.

Dear Minute Women:

Back from vacation and glad to be back. I sometimes think a vacation could well be described as "that brief respite between working like mad to take and killing yourself to catch up from."

I am sure you all appreciated the excellent letters of Leila and Edith in the last Newsletter. Thanks to both of you.

I am still in the process of "catching up" and so I will just send best wishes and greetings to all of you and thank Edith again for another of her newsy letters.

Don't forget the Annual Meeting, Charleston, W. Va., Sept. 28, 29, and 30. Make your own reservations at the Ruffner Hotel. Every year in every way they are better and better and from the plans the Charleston Chapter is making for this one it will more than live up to that reputation. Come and see for yourself!

Cordially,  
Dorothy

Dear Minute Women:

As I look out, I think I see some brilliant rays of hope on the horizon. It looks as if people are awakening and preparing for action. Notices have come of the Constitution Day Convention which has been called at the Conrad Hilton hotel in Chicago by We, the People, to meet September 16 and 17. We have had many national deliberative assemblies and produced many findings. These have built, one by one, a solid foundation of understanding of the situation for us all. Now, at last, we are to do something. To quote from their brochure: "We, the People must organize as a movement for non-partisan political action. This will not be a third party, but an independent political-action movement that will be free from the dictates of both major parties. Left-wing pressure groups now influence both parties. These forces are in the minority, but they are well organized. Our people are in the majority, but they are disorganized. Therefore, we are holding this national convention in Chicago on Constitution Day, September 16-17, to bring together the best conservative minds of our time to set the policy and lay the plans for action for We, the People.... Unlike all other patriotic conventions in re-

cent years that have met merely to confer and educate, we are meeting to *plan political action.*" Included is a most imposing list of patriots from which the speakers will be chosen. How proud I was to read the name of our National Chairman among them! I, for one, am deeply delighted. I hope you won't miss it either. Send \$3 for membership and \$12 for registration (including two luncheons) to We, the People, 35 East Wacker Drive, Chicago 1, Illinois. Don't forget a room at the Conrad Hilton, too.

And, stirring in the West is another group of awakeners. According to the Educational News Service of Fullerton, California, "The San Diego, California, Board of Education has instituted action to clarify the relationship of authority between itself and the professional educators of the school system. This commendable move was led by Dr. Frank Lowe, a newly-elected board member. Dr. Lowe's program reads in part: 'Recognizing that the public schools belong to the community, and that its own primary obligation is to the electorate, the board shall conduct its affairs in such manner as to keep the public informed of its policies, and shall at all times welcome intelligent, constructive criticism and discussion aimed at improvement of the schools.... It shall be the policy of the Board as far as possible to discourage mass instruction and all leveling down to mediocre standards; on the contrary to recognize individual differences, and to stimulate incentive, and to encourage achievements.... The Board has priority even over the superintendent. And it should not shirk its legal responsibility to the electorate by delegating all initiative in the matter of general policies entirely to the superintendent.' Well! Will the NEA sit up and notice this?

In Milwaukee, the Northwest Synod, United Lutheran Church in America, has awakened to the implications of ministerial denials of the Virgin birth, and has called the Rev. George P. Crist, Jr., to trial for heresy. And, after months of paralysis, the House Un-American Activities Committee is holding hearings in New York of Communist infiltration into the entertainment field.

The Committee of Endorsers, in Washington, whose "Program to Gov-

ern Our Foreign Relations appeared as a full-page display in the *New York Times* of Sunday, February 28, 1955, is urging individuals to action. They are eager to have you induce organizations with which you are connected to endorse this program. These endorsements may then be sent by the organizations to the President, the Secretary of State, the Chairman of the Foreign Relations Committee, and your Congressmen. Copies of the program may easily be obtained from Dr. Edward A. Fitzpatrick, Committee of Endorsers, 636 Woodward Building, 15th and H Streets, N.W., Washington, D. C. Why don't you make this your project? It certainly would be rewarding activity.

Yes, it appears that over the country patriots are awakening to action. Perhaps our long period of education in the dangers threatening our country to beginning to bear fruit. The pen is mighty. Let us continue to use it, but let us also encourage and join these doers.

I am so pleased to be asked to again write this letter for Dorothy. See you in Chicago, September 17-18, to start our mutual action in guarding the land we love.

Sincerely yours,  
Edith P. Hooker

### STATUS OF FORCES TREATY

For a period of about 10 days, officials of the State, Defense, and Justice Departments strived mightily to present a white-wash defense of the Status of Forces Treaty before the House Foreign Relations Committee.

This unprecedented accounting was due to a resolution presented by Representative Frank T. Bow (Ohio) to the 84th Congress demanding a show-down and explanation of the treaty which turns over American servicemen abroad to the jurisdiction of foreign criminal courts.

The treaty was negotiated during the Truman administration, but further light was shed on its origin in testimony, taken behind closed doors by a Senate Armed Services Committee, from Monroe Leigh, Assistant Defense Counsel. Asked about the United States' motivation for the treaty, Mr. Leigh said:

"I do know that the impetus for it came from the international command established by General Eisenhower. He felt, as an international commander, that it was very important that he be able to move troops back and forth in accordance with the demands of strategy irrespective of whether they were American. And for that reason he wanted a common arrangement between all countries. So his voice was very important in giving impetus to the idea of having a multilateral agreement, and the United States accepted the arrangement."

The general tenor of the testimony of all three witnesses was that the treaty gives "adequate safeguards; that these arrangements are reasonable and practicable and represent considerable concessions to the viewpoint of the United States by our allies; and gives to the members of our forces when they are to be tried adequate safeguards in accordance with civilized standards of justice."

"The important point for us to remember," said Mr. Robert Murphy of the State Department, "is that American troops are not in Europe as a favor to our allies. Their principal purpose is to protect the United States itself. No credence is given today to the idea that American soldiers, sailors, and airmen can best protect American citizens by staying at home and waiting for an enemy to strike the United States."

In their statements and testimony all three have contended that "so far" nobody has been injured. "So far" leniency has predominated. "So far" innocence has been vindicated and only guilt punished. But to support these very broad and sweeping—not to mention questionable—statements, there is only the surmise and word of the State and Defense Departments.

The Justice Department spokesman brushed aside the arguments of certain Congressmen who questioned the loss of constitutional rights of servicemen.

"The Constitution of the United States protects them only when they are in the United States," he said. "The Constitution of the United States is not operative when an American is in a foreign country."

Since most of the men concerned have been imprisoned in Japan, much of the questioning centered upon conditions in that country. It was revealed that in Japanese prisons smoking is not allowed. That prisoners are subject to long hours of forced labor, and that there is no heat in any prison cell. To offset this inconvenience, it was pointed out, Americans are permitted the use of hot water bottles!

A small group of representatives asked pointed questions indicating their general dissatisfaction with the treaty. Rep. Dodd (Conn.) suggested that since we "have the unprecedented situation of sending a million men around the world without their consent, ought we not to take a new look at our treaty and secret agreements?"

Robert Murphy admitted that it is *technically possible* for foreign courts to subject American GI's to such unusual punishments as cutting off their hands, but that as a "practical matter" no such danger exists. He told the Committee that Saudi Arabia is the only country in which American troops are stationed in which amputation is a penalty and that it is practiced there on Moslems only.

"Can you point out any words written down that gives us assurance they cannot?" demanded Rep. Adair (Ind.).

"I can't cite the words," Murphy replied.

Mr. Murphy insisted that Saudi Arabia is forbidden by a "written document" to impose cruel and unusual punishment and that the United States has exclusive jurisdiction over its troops there.

Mr. Adair produced a copy of the regulations which showed that the United States has jurisdiction only in its own headquarters and in a few other specified places, but that elsewhere Americans are subject to local law.

"I am interested," Adair said, "in what we have in writing. I am not interested in what is a 'practical matter.' We are told that as an historical matter it is not likely and that as a practical matter it will not happen. But, where is it in writing?"

Rep. Dodd asked if American negotiators had made a vigorous attempt to retain jurisdiction under court-martial rules, rather than yielding to foreign courts.

"Did we go in there and tell the foreign negotiators we would punish our own law violators? Did we say—we have a good record of imposing more severe sentences than you do? Did anybody talk like that?"

(Officials have been defending the Status of Forces Treaty arrangements saying foreign courts are more lenient than American military courts.)

"I can't quote you chapter and verse," Murphy replied, "but I am sure we did. We met with great resistance, particularly in Japan."

"We've overlooked something," commented Mr. Dodd. "American citizenship stands for something more than legal phrases. It stands for individual liberty all over the world. We're doing something harmful to our country and what it stands for when we permit our servicemen to be placed under the jurisdiction of foreign courts."

At the end of the hearings some committee members indicated they wished more detailed information than has been heretofore supplied by governmental agencies. They demanded detailed accounts of jail conditions, asking for the names of the inspectors making such reports. They also asked for reports from the so-called "official observers" who have been reportedly assigned to witness the trials of each individual case.

The imminent adjournment of Congress has put a stop to the hearings and to the presentation of Mr. Bow's

resolution on the floor of the House. However, Senator Welker has sent a similar bill to the Senate Foreign Relations committee asking for a hearing before that group, looking toward a possible revision of the Status of Forces Treaty. The battle will resume next January.

## REFUGEE REVISION BILL GOES DOWN THE DRAIN

President Eisenhower's plan to liberalize the Refugee Relief Act in this session of Congress has seemingly gone down the drain, with each party blaming the other for inaction.

Through a series of amendments, the White House had hoped to smooth the way for admission of more than 200,000 aliens by the law's deadline of December 31, 1956.

Sen. Watkins, sponsor of the original law, blamed the Democratic leadership of the Senate Judiciary Committee for failure to report the bill.

Sen. Kilgore, the majority chairman, complained that meetings which were scheduled failed to produce a quorum.

The present Refugee Relief Act provides for the admission of 205,000 aliens, 4,000 orphans, and for the adjustment of status of 5,000 aliens already in this country.

A so-called compromise bill, based largely on Sen. Watkins' proposals, but including some recommendations from Senators Lehman and Langer, would have boosted the total to 224,000.

This bill would have carried out the Administration plan to ease the definitions, permit the entry of 1,000 aliens with tuberculosis—for treatment here—and make other liberalizations. Missing from it was the most disputed section, eliminating the need for a 2-year security background history of aliens.

More liberal substitutes were also before the committee in several other bills.

It is reported that Senators Herman Welker and William Jenner were the most vocal opponents of any general liberalizations on grounds that such would cut back the McCarran-Walter immigration principles.

We print without comment the following letter sent to a Washington newspaper on the foregoing subject matter:

### Millions of Immigrants

After many years of opposing further immigration, I have finally come around to the way of thinking of *The Washington Post and Times Herald* and Adlai Stevenson. I read that there are 600 million Chinese, and many millions of people in India, who are close to starvation or at least have a very low standard of living.

It is my belief that we should admit all these people to the United States immediately, on the theory that if it is a good thing to admit

# Legion Commander 'Misinformed,' Foundation President Asserts

NEW YORK (U.P.)—The President of the Ford Foundation's Fund for the Republic said last night that American Legion Commander Seaborn P. Collins was "uninformed when he charged the organization is undermining the nation's security. Fund President Robert M. Hutchins said, "It is too bad that Mr. Collins did not bother to try to find out the purposes and activities of the Fund before he attacked it."

"The fund is dedicated to the principles of the Declaration of Independence and the Constitution."

Collins in a warning from Washington to 3,000,000 Legion members charged the fund is undermining the nation's security by attacking foes of Communism and by "trying to propagandize Americans into believing that Communism never has been and is not now a threat to this country."

Collins also said the \$15 million fund is attempting to make Americans believe "sinister forces under the pretext of fighting Communism are the real danger and threaten the civil liberties of all."

He warned all Legionnaires to "avoid any identification with activities sponsored by the fund."

The Fund's propaganda is considered by the American Legion to be as dangerous as it is untrue," Collins said. "But we recognized that even such propaganda as that being disseminated by the Fund for the Republic can be sold to many Americans when millions of dollars are behind the sales effort."

The Ford Foundation, parent of the Fund, was investigated last year by a House committee headed by Rep. Reece (R-Tenn.), during a probe of several tax-exempt foundations.

The Committee report charged some of these organizations with "directly supporting subversion."

Collins called Hutchins "peculiarly unsuited" to direct the fund. He said the former president of the University of Chicago evidently believes "the Supreme Court, lawmakers and the FBI are evil men when they are intolerant of Communists."

With Hutchins at the helm, the Fund is tending in exactly

the opposite direction—toward elimination of restrictions on those who apparently seek to destroy our freedoms," Collins added.

Seeking to clarify the relationship of the Ford Foundation and the Fund for the Republic, Hutchins said the Fund

does not ask the Foundation to approve its policies, and the Foundation "has not sought to exert influence over the Fund."

"The relation of the Fund to the Foundation," Hutchins said, "is the same as any other independent beneficiary of the Foundation."



214,000 people, it is a much better thing to admit a billion people. Driving around Washington one can see many places where hundreds of thousands of them can be housed. The Ellipse and even the White House grounds could be used for compact tenements which would take care of hundreds of families. By cutting down all the trees in Rock Creek Park it would be possible to house thousands more. Practically every backyard in the suburbs would hold a two-family house which would house 50 Chinese and a hundred Indians.

Adlai Stevenson recently pointed out that by restricting immigration we were preventing the influx of needed talent and energy, and everyone will agree with him that although we have

had immigration for 300 years, and although we have some of the supposedly finest educational institutions in the world, all of this civilization and culture has failed, and our future depends upon the 214,000 immigrants that President Eisenhower and Adlai advocate. They (the proposed immigrants) have something that we have not been able to produce in 300 years, and no one has discovered it until Adlai pointed it out in his discerning analysis.

As the man who discovered that American civilization has been a total failure, Adlai is certainly deserving of the Presidency, and it is too bad that millions of voters are not intelligent enough to accept his viewpoint.

## HMMMMMM DEPARTMENT!

A Senate committee with jurisdiction over broadcasting is trying to get privately endowed foundations to do some research for it.

Senator Magnusson (Wash.), chairman of the Interstate and Foreign Commerce Committee, has spoken to Dr. Robert M. Hutchins, president of the Fund for the Republic, about undertaking a study of free speech. Sen. Magnusson said committee staff members had spoken to other foundations.

"It's an idea we had," said the Senator. "This is so big and we have so little staff and money. It's a new concept of Congressional inquiry. It surely would be objective and have some standing if this type of people do it."

The chairman said there were many problems on which the committee needed help. These include allocation of high frequencies, monopoly ownership of stations, multiple-ownership rules, and political broadcasting.

The *Commercial-News*, Danville, Illinois, says:

"What's sauce for the goose is sauce for the gander." This old folk saying is often quoted these days on Capitol Hill.

Legislation is pending to tax cooperatives on same basis as corporations. In nation-wide membership poll of National Federation of Independent Business, 95 per cent endorsed H.R. 43, introduced by Rep. Noah Mason (R., Ill.), to tax cooperatives the same as corporations.

For some time it has been recognized a vast volume of business done by cooperatives has been escaping taxes.

Some experts say taxation of cooperatives on same basis as competing companies would yield extra billion dollars.

History of cooperatives is interesting. Many years before farm price supports, farm subsidies, other farm programs were dreamed about, special laws permitting establishment of cooperatives on a tax-free basis were enacted to help farmers.

However, law was written on such broad scope door was opened for practically any type of business to be operated as a cooperative and thus escape taxes. With advent of high taxes, door became popular.

An example is wholesale field. While chain operations are blamed for demise of high percentage of wholesalers, wholesale cooperatives have probably been as responsible, or more so.

If a retailer would prefer to buy through a cooperative rather than his old established wholesaler who extended credit and performed other services, that is his privilege. But during past few years there is reasonable doubt cooperative membership would have been so attractive to many retailers if cooperatives had been required to pay same taxes as private wholesaler.

Even despite tax advantages they are wholesale cooperatives which

## WHERE DID IT COME FROM?

The House Un-American Activities Committee has just revealed that the children of the executed spies, Julius and Ethel Rosenberg, received \$1,299 from a total of \$302,000 collected by communist-controlled groups who exploited the Rosenberg case for their own private advantage.

Four members of the "National Committee to Secure Justice in the Rosenberg Case" were forced by the committee to supply a breakdown of collections and expenses, and came up with the following information:

### EXPENSES

Legal, Organizational, Educational, Welfare, etc., Expenses			
Legal Fees & Expenses*	\$ 29,541.44	13%	
Legal Printing	11,323.39		
Delegations to Wash. etc.—RR, buses, etc.	57,859.09		—17%
Printing of Literature**	71,815.23		—22%
Traveling & hotels for Staff, Committee members & additional personnel***	20,142.32	—6%	
Affairs—Randall's Isl # 1	7,588.92		
—Randall's Isl # 2	1,665.60	5%	
Dinner Committee Advances	9,016.22		
Federal Admission Taxes	1,903.00		
Permits, etc.	195.30	4%	
Conferences & Organizational Expenses	1,530.00		
Advertising & Publicity****	15,640.88		
Speakers' Expenses—Fares, Hotels, etc.	5,458.20	2%	
Speakers' Equipment—Sound Trucks, etc.	1,809.60		
Postage & Freight for Literature, etc.	10,773.77	—3%	
Press Clippings & Subs	656.65		
Hall Rental	1,879.76	12%	
Welfare Expenses—Rosenberg Children*****	1,299.15		
Welfare Expenses—Sobell Children	5,042.77		
Welfare Expenses—Prison Commissary	490.00		
Funeral Expenses	2,494.18		
Washington Office Expenses	3,967.63		
Telegram Expenses	4,322.53		
Sundry Miscell. Expenses	930.83		
Total Legal, Organizational, Educational, Welfare, etc., Expenses	\$267,346.46	84% of expenditures	

\* This audit cannot, of course, reflect the income and expenditures of the many local Committees throughout the country. It must be borne in mind, therefore, that the total amount of money given by the American people is a multiple of the income shown on the next page. Likewise, the expenditures for such items as delegations, printing, public meetings, advertising and publicity, postage and freight, telegrams, and funds for Michael and Robert Rosenberg are also in multiples of the figures reflected in this financial report. Percentages and asterisked notes have been added to the auditors report by the Committee to reflect in greater detail the generalized items under which they appear.

\*\* In addition to the printing of many thousands of form letters for mailing purposes, this expenditure made possible the printing and circulation of approximately 6 million leaflets and pamphlets and half a million petitions and postcards.

\*\*\* All told, the Committee sent some 10 organizers out into the field at one time or another during its two-year campaign. Trips for organization and investigations ran from 3 days to 6 weeks, reaching hundreds of communities and covering many hundreds of thousands of miles.

\*\*\*\* The Committee purchased directly about 250 separate ads for a total of about 40,000 lines.

Also see inside

have not paid members any patronage refunds in cash, issuing stock certificates in lieu of cash not readily negotiable and thus of doubtful value.

At same time, many cooperatives have been pushing to their members their own house brands competing with income tax paying private manufacturers.

Thus once again Congress is faced with an economic injustice spawned by income tax. While outlawing income tax would be quick remedy, it is not to be expected such a drastic cure will ever be entertained.

Therefore, it is felt only just that Congress prescribe all enterprises engaged in production and distribution of merchandise be equally subject to taxation. If such action is not taken, many observers fear in years to come practically all business will be captured by cooperative system which in many nations has supplanted free economy system.

Speech of

HON. B. CARROLL REECE  
of Tennessee

In The House of Representatives

Thursday, July 21, 1955

Mr. REECE of Tennessee. Mr. Speaker, it is with considerable reluctance that I make these remarks, but I feel compelled to do so. So many persons from all over the country have written me about the behavior of Dr. Robert M. Hutchins' giveaway program in behalf of so-called civil rights that I must make some kind of a public statement on the matter.

Alas, what can you expect of such muddle-headed so-called liberals like Dr. Hutchins when you read his testimony before the Seditious Activities Investigation Committee of the legislature of the state of Illinois, on April 21, 1949, when, after being duly sworn, he testified in the inquiry conducted into the University of Chicago of which he was then chancellor, that it was not yet established that it was subversive to be a Communist and that the U. of Chicago had a Com-

munist club chartered on the campus with the approval of the university; that Dr. Oscar Lange, a professor of the U. of Chicago who had renounced his American citizenship to become Ambassador from Communist Poland to the United Nations, would be welcomed back to the university if they had the money to pay his salary.

Dr. Hutchins made the following answers to questions asked him before the commission then sitting at Springfield:

Question. The records which I shall present through other witnesses show, in summary, that some sixty-odd persons listed in the latest available directory of the University of Chicago, as professors or professors emeritus, have been affiliated with 135 Communist-front organizations in 465 separate affiliations. Is that not something for which the university might well be alarmed?

Answer. I don't see why.

Question. You don't think that is indicative of the fact that the university is allowing its prestige to be used in the Communist-front movement?

Answer. I don't think so.

Question. Then you are indifferent to that fact?

Answer. Would you allow me to make a statement?

Question. Certainly.

Answer. I did not say that, but let us consider what the alternative is. Suppose now you have a Nobel Prize winner who joins an organization in which the Attorney General, at the moment, happens to disapprove of. Is it suggested that I am to interfere with his freedom of associations and speech? I hope not.

Question. Then it is your view of the Communist Party that it represents a fallacy?

Answer. I am not a counsel for the Communist Party or any of the committees.

Question. But you are somewhat of a student of world affairs, aren't you?

Answer. I am a student of those subjects on which I speak.

Question. You have an opinion on the Communist Party and its potential menace throughout the world, haven't you?

Answer. Well, I have some general views, just as I suppose everyone has.

Question. And I take it they are not flattering to the Communist Party?

Answer. Oh, no.

Question. Do you consider that the Communist Party in the United States comes within the scope of a clear and present danger?

Answer. I don't think so.

## RED CHINA COULD BUILD ATOMIC BOMB FROM DATA AT GENEVA, EXPERT SAYS

Geneva, Aug. 12 — An American expert said today Red China could build an atomic bomb on the basis of information made available this week at Geneva.

The United States delegate to the Atoms-for-Peace Conference asked his name not be used. He said: "We are not supposed to talk about the war potentialities of atomic energy at this conference."

He declared that much detailed information concerning the fission process emerged in reports submitted to the conference and subsequent discussions.

It would not be difficult, he said, for nuclear scientists in almost any country to determine from the reports and talks the method for producing nuclear energy for explosive as well as peaceful purposes.

"The problem would be the great work involved in producing atomic bombs," the top American scientist said. He continued:

"It is questionable whether small nations could do it, but it's certainly conceivable that nations like India or China could on the basis of information made available this week.

"Both of those countries have nuclear scientists. With their vast resources and manpower, they could use human labor for some things we do with machinery."

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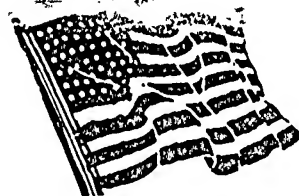
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## FOUNDATIONS?

### FOUNDATIONS ASSAILED IN PROBE REPORT

#### 'Grave Abuses' of Operation Hit

BY WALTER TROHAN  
(Chicago Tribune Press Service)

Washington, Dec. 19—In a roaring blaze of verbal controversy, the special house committee that investigated tax-exempt foundations tonight returned a 432 page report on the operations of educational and philanthropic organizations.

In 416 pages, the majority of the five-member committee found in its year's inquiry "grave abuses" in the administration of multi-billion dollar tax exempt funds.

The majority called upon the great foundations to "clean house" lest Congress be forced to act. The majority did not favor any "unnecessary extension of federal jurisdiction" to curb abuses.

#### Grave Abuses Listed

The grave abuses, the majority said, are that foundations have been formed "to perpetuate family control of an enterprise; the compelling motivation of creation is tax planning rather than public good; the power exerted by foundations contains elements of thought-control; a marked tendency to favor political opinions of the left, and the creation of a professional class of administrators of billions of dollars of foundation funds."

(Continued on Page 3)

## NEWS and VIEWS

EDITED BY GEORGE WASHINGTON ROBERTS

Published under Auspices of the National Laymen's Council  
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NEWS and VIEWS, published since 1937, is a hard-hitting, realistic, dedicated to the task of strengthening sound, logical thinking through greater factual awareness.

**T**REMENDOUS CONTROVERSY has been stirred over an investigation into "educational and philanthropic Foundations" recently conducted by a House Committee headed by Congressman B. Carroll Reece (Tenn.) - hereinafter referred to as the Reece Committee.

THE INVESTIGATION was authorized by Congress on July 27, 1953. The purpose was to -

determine if any foundations and organizations are using their resources for purposes other than the purposes for which they were established, and especially to determine which such foundations and organizations are using their resources for un-American and subversive activities; for political purposes; propaganda, or attempts to influence legislation.

The House resolution provided that the Committee should file a report on its findings by January 3, 1955. Accordingly the Committee filed a "majority report" on December 16, 1954 and this was followed immediately by a vigorously protesting "minority report" signed by Congressman Wayne L. Hays (Ohio) and his Democratic colleague on the committee, Gracie Pfof of Idaho. (These reports are available in a 432-page Government printed book. It is titled "Tax-Exempt Foundations," House Report No. 2681. Write Government Printing Office, Washington, D.C.)

NO CONGRESSIONAL committee has, perhaps, ever tried to function under more difficult circumstances. From the time it began its hearings the procedure was harassed by the crippling technique adopted by Congressman Hays. Whether this was part of the picture at the time the Committee members were appointed is, of course, not known - but it is a fact that there were early predictions by some of those on the inside that much of the imposed arrangement foreshadowed a curtailed investigation.

CONGRESSMAN REECE, however, under the most trying circumstances made a valiant effort to bring to the investigation certain fundamental questions that are asked continuously and widely regarding the uses to which vast millions of dollars (exempt from Federal income taxation) are being put by the small and select groups that have absolute control over the spending policies of these Foundations. While most Foundations are set up under State law, this investigation was initiated by the Congress (as others previously have been) on the assumption that the Federal government has a growing responsibility in the matter - through the tax exemption the Foundations enjoy.

THESE FOUNDATIONS, rather naturally, do not wish to be investigated. They apparently want to make grants of the money they control to whomever and for whatever purpose they please. This has stimulated growing public concern - and increasing public belief that many of the causes which are Foundation financed are slanted in the direction of encouraging socialism and that before this gets out of hand through the rapid increase of big Foundations there should be better control through legislation. Consequently this recent investigation was conducted by a properly established Congressional committee in an effort to discover whether such legislation is needed - and if so, what form it should take.

ON THE FOLLOWING pages are reproduced some of the newspaper reports and comments that have appeared on the Reece Committee inquiry and its report. There is, however, a highly important matter of public inquiry concerning the future effect of Foundation growth upon the free enterprise structure that has not been adequately discussed. This particular problem can, perhaps, best be illustrated and examined by using the Ford Foundation as a case study.

**THE FORD FOUNDATION** was incorporated in Michigan January 15, 1936 with a grant of \$25,000 from Edsel Ford. The Articles of Incorporation described its purposes as follows:

To receive and administer funds for scientific, educational, and charitable purposes, all for the public welfare, and for no other purposes, and to that end to take and hold, by bequest, devise, gift, purchase, or lease, either absolutely or in trust for such objects and purposes or any of them, any property, real, personal, or mixed, without limitation as to amount or value, except such limitations, if any, as may be imposed by law; to sell, convey, and dispose of any such property and to invest and re-invest the principal thereof, and to deal with and expend the income therefrom for any of the before mentioned purposes, without limitation, except such limitations, if any, as may be contained in the instrument under which such property is received; to receive any property, real, personal, or mixed, in trust, under the terms of any will, deed of trust, or other trust instrument for the foregoing purposes or any of them (but for no other purposes), and in administering the same to carry out the directions and exercise the powers contained in the trust instrument under which the property is received, including the expenditure of the principal, as well as the income, for one or more of such purposes, if authorized or directed in the trust instrument under which it is received; to receive, take title to, hold, and use the proceeds and income of stocks, bonds, obligations, or other securities of any corporation or corporations, domestic or foreign, but only for the foregoing purposes, or some of them; and, in general, to exercise any, all, and every power for which a non-profit corporation known as a Foundation, organized under the provisions of the Michigan General Corporation Act for scientific, educational, and charitable purposes, all for the public welfare, can be authorized to exercise, but not any other power. No part of the activities of this corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation.

**FURTHER** to describe the financial and organizational structure of the Ford Foundation the following quotations are reproduced from the 942-page report of the "hearings" on Tax-exempt Foundations as conducted by the Reece Committee - and which information was in turn taken from The Corporate Director (April, 1954) published by The American Institute of Management.

TABLE 3.—Highlights in the growth of the Ford Foundation

Year:	Total assets (thousands of dollars)
1936.....	25
1943.....	30,500
1950.....	510,972
1952.....	518,422

<sup>1</sup> Incorporated in Michigan, Jan. 15, 1936, on a grant from Edsel Ford.

<sup>2</sup> Outright grants from the Ford family and the Ford Motor Co. since 1936. Edsel Ford died in 1943. Part of his estate was eventually bequeathed to the foundation.

<sup>3</sup> The greater part of these assets consisted of 3,089,908 shares of class A nonvoting common stock of Ford Motor Co. carried at \$135 per share; valuation fixed for estate tax purposes in settlement of the late Henry Ford's estate.

Sources: Business Week, Oct. 7, 1950. The Ford Foundation Annual Reports, 1950 and 1952.

The Ford Motor Car Co. was owned by Henry Ford, the First, at the time of his death on April 7, 1947. The taxable value of the company at the time was so great public sale would have resulted had not a tax-exempt foundation been formed to receive the stock of the company tax free.

The Fords made the foundation the residuary legatee for their estates. Their heirs were named to receive specific bequests. Deducted from the amounts willed to the Ford Foundation were the estate taxes owed to the Government by the Ford heirs as a result of their legacies. Therefore, though the foundation's bequest was not taxable, the money it actually received was reduced by the taxes on the other part of the estate.

The purpose of the Ford Foundation is simply stated in its charter: "to receive and administer funds for scientific, educational, and charitable purposes, all for the public welfare." So now, most of whatever dividends are paid by Ford go to the Ford Foundation and, regardless of the doubts that many informed individuals have as to the wisdom of this foundation's disbursements, the fact is that control of the Ford Co. remains in the hands of the Ford family. Total outstanding stock of the Ford Motor Co. is 3,452,900 shares. Of this, the Ford Foundation holds 3,089,908 shares of class A nonvoting stock. The remaining 10.5 percent, or 362,992 shares, is owned by the Ford family. Their holdings include all 172,645 shares of voting stock.

TABLE 4.—Directors of Ford Motor Co.

Name	Outside	Inside
Henry Ford II.....		President—Ford Motor Co.
Benson Ford.....		Vice president, Lincoln-Mercury Division.
William C. Ford.....		Vice president.
J. R. Davis.....		Do.
Ernest R. Breech.....		Executive vice president, Ford Motor Co.
William T. Gossett.....		Vice president and general counsel.
John S. Bugas.....		Vice president, industrial relations.
L. D. Crusoe.....		Vice president, manufacturing (Ford Division).
D. S. Harder.....		Vice president, manufacturing.
T. O. Yntema.....		Vice president, finance.
Irving A. Duffy.....		Vice president, purchasing.
Harold T. Youngren.....	Director of Ford Motor Co.	
Donald K. David.....	Dean, Harvard Graduate School of Business Administration.	
James B. Webber, Jr.....	Vice president, general manager and director of the J. L. Hudson Co. Department Store.	

TABLE 5.—Trustees of the Ford Foundation

Name	Outside	Inside
Henry Ford II.....		President, Ford Motor Co.
H. Rowan Gaither, Jr.....	Chairman, Pacific National Bank of San Francisco.	
John Cowles.....	President, Minneapolis Star & Tribune Co.	
Frank W. Abrams.....	Chairman, Standard Oil Co. of New Jersey.	
James E. Webber, Jr.....		Also, member of board of directors, Ford Motor Co.
Donald K. David.....		Do.
Charles E. Wilson.....	Chairman of executive committee, W. R. Grace & Co.	
Benson Ford.....		Vice president, Ford Motor Co.
Charles E. Wyzanski, Jr.....	Judge, United States District Court, Boston, Mass.	

<sup>1</sup> Chairman of the trustees.

<sup>2</sup> President and director, the Ford Foundation.

How else could one explain Henry II being president and his two brothers being vice presidents? Whether or not the Ford Motor Co. makes a profit or pays any dividends in any one year is of scant consequence, either to the company itself or the Ford family. Neither their salaries nor their positions are affected.

No other automobile manufacturer is in a position to ignore stability of earnings or continuity of dividend payments. If General Motors or Chrysler earned no money and paid no dividends this year, management heads would roll, and equity credit would be seriously impaired. Ford could report no earnings and declare no dividends, and the public would not even know of it. All the public would know is that Ford car was top car on the production sheets and in the dealers' hands, regardless of the economic disaster of overproduction that could result.

The AIM has given much study to this problem, and has decided to pass on to its members, and all those concerned with business theory, the benefit of its findings. It is our belief that in this case, and in many others, Federal legislation is needed that will prohibit any charitable foundation, pension fund, or union, from owning more than 10 percent of any business enterprise. If nothing else, the Federal authorities should not allow tax exemption on income from more than 10-percent ownership of any business corporation. Otherwise, the public has no voice in the company, and the profit motive cannot survive due to the great advantage enjoyed by companies that can offer unfair competition through lack of need for equity credit. This necessary legislation can also prevent families from entrenching themselves without due regard to their ability.

Both these problems are serious, whether the business be large or small, if we are to remain a nation of competent businessmen.

**THIS IS NOT** presented here as a reflection on anyone or any organization. The purpose is to picturize a situation - and a trend - for serious study and consideration as to the effect this development may have on the American private enterprise structure as we have known it. Edsel Ford and his father, Henry, were confronted with a serious problem of how to preserve (after their deaths) a huge business - an obligation imposed upon them by confiscatory death or inheritance taxes. The 1941 Federal Income Tax law set a range of estate taxes starting from three per cent on the first \$5,000 (after an exemption of \$40,000) and increasing proportionately to 70 per cent on estates of more than ten millions. By that time there were thousands of industries and other types of property worth more than ten millions. Confiscation by taxation has grown steadily worse as the insatiable income tax device has been used by the "liberals" for the social purpose of redistributing wealth.

**EDSEL FORD** died in 1943 and Henry (who started the business in a small one room shop) died in 1947. It was apparent that the only way to keep the business as family property was by establishing a tax-exempt Foundation to which would be transferred a large block of company stock - thereby avoiding the destructive death tax.

**THE PLAN FOLLOWED** was to transfer to the Ford Foundation non-voting stock representing 90 per cent of the value of the Ford Company - with the Ford family heirs retaining ten per cent which would be voting stock. This meant that the Company (the business) lost no working capital - and did not need to go into the open market for capital to settle with the Government - and left 100 per cent of the voting capital in family hands. Most people will be sympathetic with any honest method which will avoid Government confiscation through taxation. But this method, regardless of honest intentions, brings up questions that will have to be faced - or radical changes in the "American way" will follow.

**THE FORD** Foundation experiment was introduced when the New Deal reformers were in their glory. Mr. Ford had long entertained certain ideas of traditionalism that were anathema to the "new social order" brigade. Many people at the time expected the New Dealers violently to object and resist this method of preserving the Ford empire. However, that resistance did not take form - and there were some who believed that, upon consideration, the liberal reformers decided that with the way Foundations were serving the cause it might be well to encourage this particular kind of change. The Foundation field has



# The People's Forum

Letters intended for the Forum must be signed and bear the writer's full name and address, which will be printed except when some other form of signature is requested. Letters exceeding 200 words are subject to condensation.

## GREAT BOOKS HELPFUL

Editor The News — September means school time to thousands of youngsters—another year of learning and fun to look forward to.

Don't we adults somewhat envy our children this opportunity to learn? Now that we are out of school, we can see the value of learning many things that seemed senseless when we were in school.

Do you have that hidden desire to learn, to increase your understanding of yourself and the world of ideas around you? I think you might find this learning opportunity in the Great Books Discussion Group. "Great books!" you say. "Let's not go overboard! That's highbrow stuff that no ordinary person can understand."

So I thought when I first heard of of Great Books. But it really wasn't quite as bad as my mind made it out to be. After three years in the program I can make these modest statements:

1. I found it possible to read and understand the writings of the "incomprehensibles" — Aristotle, Plato and Rousseau.
2. These authors actually wrote their ideas about things I had thought about.
3. It was fun to talk these ideas over with somebody else who had read the same book.

That, in brief, is what the Great Books Discussion Group can do for any person who is willing to give it a try. This year's group will hold its first meeting in early September. If you like to read and like to talk or would like to learn to do both, why not try it out? There is no cost involved except your willingness to come.

Robert Cornell

1221 Gratiot.

## Great Books Discussion Plans Set

Great Books discussion sessions will begin their third year in Saginaw at 8 p.m. Friday at Butman-Fish Library.

Registration for the course will begin Wednesday at both Butman-Fish and Hoyt Libraries and will continue until Friday, according to Mr. and Mrs. Robert Cornell, discussion leaders.

The Great Books Foundation was organized eight years ago in Chicago to stimulate the reading of classical literature. It is sponsored by the Ford Foundation which pays most expenses.

The Saginaw group will meet the first and third Fridays of each month after September. There is no tuition nor age requirement. Participants may borrow the books from the library or purchase paperback editions from the Ford Foundation. There are group discussions — no lectures or book reviews.

Reading assignments for the coming year include selections from Aristotle, Plato, St. Thomas Aquinas, Calvin and Freud. The first reading to be discussed Friday will be the Book of Job from the Bible. Most selections require two to five hours reading, according to the Cornells.

About 15 persons can be accommodated in the Saginaw group.

Mr. and Mrs. Cornell have led the group since they organized it here in cooperation with the public libraries. Cornell holds a master of science degree from Michigan State College and is a social worker at the Saginaw County Hospital. Mrs. Cornell is a graduate of Purdue University.

established quite a record for financing "liberal" causes and the record is quite clear (particularly after the furor raised about the Cox and the Reece Committee investigations) that our "great liberals" are the militant guardians and proponents of the Foundation system.

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IF THE FORD type Foundation is legal (no court tests have been attempted) and here to stay as an established and accepted pattern of the future (which seems to be the case) - then we will assume that it will be only a matter of time until BILLIONS of dollars of live corporation capital will be assigned to tax-free Foundations which in turn will be tied to the businesses that support them something like a houseboat tethered to a tug. This is a Siamese-twin arrangement - two inseparable entities - yet posing as independent of each other.

THIS CREATES TWO unusual situations. (1) The business itself is, by this Foundation device, placed in an advantageous operating position over its all-stockholder competitors - if it should care to use it. A company that has most of its stock (or capitalization) "in grant" to a Foundation can pay substantial salaries and income to its minority (family control) stockholders and not have to worry about dividends to holders of the largest part of the capitalization. If a company whose capitalization is all in stockholder hands should not produce satisfactory dividends, the management would soon be replaced. This would not be the case in a Ford-styled operation. (2) There is the further unusual situation when a Foundation is capitalized with a grant of stock (instead of actual money) and is made dependent upon the year to year income of a certain operating business, yet where the largest part of the profit is spent for social causes by social planners. Imagine what this could lead to in a few generations with more and more businesses leaning on self-created Foundations pouring millions into such liberal-gaited projects as the Commission on Social Studies (1929-33), Progressive Education Association, Foreign Policy Association, American Friends Service Committee, Institute of Pacific Relations and many others that have tapped the large Foundations.

THE FORD FOUNDATION has come in for wide criticism because of some of the people connected with it - and for some of the projects it has financed. Its ramifications are becoming so extensive and involved, with the vast sums (around \$30,000,000 a year) it has to spend, that it is difficult for the public to know of its far reaching activities. It is a Foundation that in turn begets its

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shows how easily a pattern of this "adult" field if those in c should so desire.



McFerran Photo  
MR. AND MRS. Orville V. Vaughan, of Glastonbury.

THE REECE COMMITTEE paid good services that have been for Foundations - as well as preserve. We must not let the good blind Foundations by their increasing accumulations of money to spend them in the field of social action. develop concern and alarm on a wide scale, then surely it is the right and duty of Congress to examine the propriety of giving tax immunity without at the same time imposing proper restraints.

The groups will meet bi-weekly at the Public Library. The groups being formed by the De- the Great Books Association.

CORRESPONDING with this obligation Congress also has the duty to see that income and inheritance taxes are not levied to the point of forcing people to resort to Foundations as a means of protecting life accumulations. It may be that Congress would find that high death taxes have reached the point where they are now defeating their purpose whether that be to "redistribute" wealth or to get more money for the Government. Not only that - but it could be that high income and inheritance taxes are helping to create a Frankenstein where there will eventually be so much Foundation money in the hands of a bureaucracy of planners and spenders that the whole pattern of American life will be changed before we realize the source of the pressure and influence.

THE VERY FACT that there is so much opposition from "liberal" quarters to any investigation of the tax-free Foundations seems almost within itself to point to a danger and to command Congress to continue investigating the nature of the Foundation behemoth.

(Continued from Page 1)

The majority found that while foundations have rendered many "magnificent services" they have gathered great power to influence the government, the press and radio so that it has been extremely difficult to get objective criticism of foundations practices.

The members of the majority urged continuing study of foundations for three to seven years to guard against dangers.

#### Minority Report Violent

In an 11 page minority report, two members attacked the majority findings in strong and, at times, violent language. The minority stated they not only did not agree with the majority findings, but added they earnestly believed the re-

port should never have been published.

The minority held the foundations are above reproach in their operations and should not be subject to investigation. The rights of foundations, the minority asserted, are guaranteed by the Constitution and the government should not dictate directly or indirectly what the officers of such foundations should think or believe or how they shall exercise their trust responsibilities.

The minority report blasted the committee staff as operating under a cloud of fear, being manipulated by persons who would use "the deadly evil of fear for their own purpose, purposes which would in their realization destroy American

constitutional liberty." The minority did not identify any of the group allegedly manipulating the committee staff.

#### Slugs Back at Minority

The minority said the committee staff is representative of "a small and unhealthy minority in the nation" which would "brand as conspiratorial and un-American citizens any organizations which support the great liberal tradition of our society, including such well known persons as Edward R. Murrow, Paul Hoffman, Sen. Elect Clifford Case of New Jersey and Sen. Douglas of Illinois, and such highly respected organizations as the National Council of Churches, the Parent-Teachers association, the National Education association, the Anti-Defama-

tion league, and some of the most prominent newspapers and publishers in the land."

The minority in turn, came under attack in some pointed language by Chairman Reece [R., Tenn.], who charged that members of the minority assumed "an attitude of aggressive suspicion" and made clear from the beginning their intention to frustrate the investigation to the limit . . . and to attempt wholly to 'white-wash' the foundations."

The majority, in addition to Reece, included Representatives Wolcott [R., Mich.] and Goodwin [R., Mass.]. Goodwin is planning to write a supplemental statement, which did not reach the committee in time for inclusion in the report. The minority charged this statement might transform



the report into a minority report rather than a majority report should Goodwin be critical of his colleagues. There was no indication that Goodwin would break with his Republican colleagues.

Altho Goodwin, who was defeated in the November congressional elections, signed the original committee report, he reportedly is looking for a federal job and accordingly is said to be attempting to disassociate himself from the committee majority. Committee sources said Goodwin went to the government printing office and attempted to delay publication of the report until he could insert his views but was unsuccessful because the report already was being printed. Since then, he has indicated he will file a supplemental report.

#### Expected to Be Storm Center

The minority report was the work of Representatives Hays [D. O.] and Pfof [D., Idaho]. Hays had punctuated the committee hearings with attacks on Reece. He sharply attacked witnesses who voiced any criticism of the foundations.

Investigation of foundations was begun in the previous Democratic Congress by the late Rep. Cox [D., Ga.]. Many Democrats as well as Republicans voted for the investigation. There were Democratic and Republican votes against the investigation.

The committee found that foundations, controlling about 7.5 billion dollars with an income of approximately 675 million dollars a year, have become "a force in our society second only to that of the government itself."

#### Left Wing Promotion

"While many magnificent services" have been rendered in the fields of science, medicine, and public health, the committee majority said investigation disclosed disturbing evidence that major foundations have combined their power and influence in a "highly undesirable" concentration.

Foundations have engaged in the conscious promotion of leftist political concepts, the majority report said, and have propagandized to promote "world government" and a generally leftist approach to international problems.

The minority ridiculed this phase of the majority report. The majority devoted a lengthy section of its report to alleged communist infiltration of such foundations as the Institute of Pacific Relations.

The majority report found the impact upon society in the "combine" of certain great foundations, thru interlocking directorates in the foundations themselves and in the financial and business world, has been that of "an intellectual cartel."

#### Perpetuate Control

The majority contended the domination by any group of research and the consequent molding of public opinion contains a great risk. Such power can become "a bulwark against freedom of inquiry and freedom of instruction," the majority report said.

The committee found the mushroom growth of foundations has been promoted by high income and inheritance taxes. Income from foundations is exempt from the fed-

eral income taxes and contributions to foundations are free of gift and estate taxes.

Foundations also are created to maintain and perpetuate family control of large enterprises, the report said. As a case in point, the majority report cited the Reid Foundation, which, the report indicated, was created to retain control of the New York Herald Tribune.

The report expressed "grave doubt" regarding the basis of the tax-exempt nature of this foundation. The majority report recommended internal revenue service investigation of the Reid Foundation.

The committee urged a continued study of three to seven years of the entire problem of foundations in view of the "evidence of very grave abuses."

#### Reduces Estate Tax

The Ford foundation was mentioned as one representing the desire of the proprietor of a large and substantial enterprise to have it continued after his death in the hands of his family. In such cases the report observed, the proprietor transfers enough of his ownership to a foundation to reduce the estate tax to a point where liquid assets are sufficient to meet death taxes and where the ownership of the enterprise can be controlled thru a foundation.

The majority examined the Eugene and Agnes E. Meyer foundation, which was set up to provide an orderly and consistent method of making contributions to chosen charitable and educational institutions. No criticism was made of this legitimate use of foundations.

However, the majority report expressed some concern about the close relationship of this foundation and the Washington Post company, which operates a Washington newspaper and a radio and television station. The assets of the foundation are approximately 7.8 million dollars of which 1.6 million is in securities and the balance of 6.2 millions apparently represents the value of 153,750 shares of class B nonvoting stock in the Washington Post company. The total of nonvoting stock in the paper is 186,750 shares.

There are 12.24 shares of voting stock in the Washington Post company. None of these shares is owned by the foundation. The greater portion of these shares, according to the report, is controlled by Mr. and Mrs. Meyer, who constitute the foundation.

"In view of this intimate relationship, the intensely critical attitude of the Washington Post and Times-Herald toward the work of this committee appears to be something in the nature of a defense mechanism, rather than an unbiased reporting of facts by a newspaper," the committee majority asserted.

"Again, this is a subject which warrants further study—to insure that the press will be free of undue influence by any group with an axe to grind, whether such groups are tax exempt or other types of corporate organizations."

Chicago Daily Tribune

Vol. CXIII Monday, Dec. 20, 1954 No. 303

WE HAVE REPRODUCED here, along with our Bulletin report, one of the most thorough newspaper accounts of the Reece Committee investigation that we have seen. For his tireless and thankless efforts as Chairman of the committee, Congressman Reece has been subjected to torrential invective from the liberal-left press, commentators and spokesmen for some of the Foundations. Mr. Reece was doubly hated by the "liberal" cultists because he has dared to warn the American public on other matters that nettled their tender spots. In an article in the National Republic in August he described "How Alger Hiss Set Up the U.N." and in another issue of the same magazine he wrote about "The Communist Technique."

IT HAS BECOME dangerous to oppose anything left-center in America. Recently a Detroit paper quoted Bishop Oxnham in one of his regular tirades against the House Committee on Un-American Activities. The Bishop is bitter because it was at a hearing of this Committee that his own record of Communist-fronting was exposed (by his own admissions) to an astonished nation. Senator McCarthy's particular knack for dramatizing the facts as to how Communists have penetrated Government and industry caused him to be hit by a ton of brickbats. His

successor, Senator John L. McClellan (Ark.) felt the Communist lash before he even started hearings. The Communist Sunday Worker (1/9/55) hit at him with a story headed - "Demo Takes Over McC Attack on Unionism" because at McCarthy's last committee session Senator McClellan had asked a certain Red unionist whether or not he was a Communist. The man who is a functionary of the Red-controlled "UE" union refused to answer. The Communist paper at once began to find the range on Senator McClellan with its smear guns.

THERE IS NO intention here to link the Foundations with Communism - although certain Foundations have been established for the sole purpose of financing Communist organizations. But it is not out of order to point out the interesting fact that the same general newspapers and commentators who went after McCarthy also opened their guns on Reece. Something has grown up in this country during the last twenty years or so that we may properly call a "Left-Coalition." One of these days, unless we perish in confusion, we will need to find out where "liberalism" leaves off - and where the different brands of socialism begin. No one seems to know - and this is rapidly becoming America's No. 1 PROBLEM.

MRS. LLOYD A. SUTLIFF  
1473 WILSON ROAD  
SAGINAW, W.S., MICH.

Saginaw, Mich;  
Sept. 16, 1955.

J. Edgar Hoover  
Federal Bureau of Investigation  
Washington, D. C. Fund for The Republic  
Dear Sir:

Enclosed are clippings from  
The Saginaw News rel. to Great Books  
sessions which have started up for the  
3rd year. The Cornells started this  
group in Saginaw when they first came  
to Saginaw ("planted"?).

A friend and I, suspicious, signed up  
for this year but I have changed my  
mind. It nauseates me!

According to their literature there  
are 1500 such groups in the United States.

There appears to be a Freudian influence in  
the selection of books - even in the study of  
the Book of Job from the Bible. "What is sin?"  
Amused smiles at a definition, that of "breaking  
any one of the Ten Commandments."

I am not unmindful of "Official Com-  
munist Rules for Revolution" which appeared  
in the Nov. 1954 issue of the American Legion  
Magazine.

Great Books is set up for a series, Aristotle  
& Plato in every year. Freud is another  
Legion Commander Collins warns "avoid any  
identification with activities sponsored by the fund." 2/6  
young people in Saginaw group. The rest I leave up to you.  
Respectfully, Gerald P. Sutliff

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DATE 7/26/99 BY SP8 BTJ/STJ

ENCLOSURE

RECORDED-45

100-391697-185

ORIGIN RECD

RECORDED-45

INDEXED-45

September 26, 1955

100-391-77-185

*Encl. 1/2 Sat. 10/3*  
Mrs. Lloyd A. Sutliff  
1473 Wilson Road  
Saginaw, W. S., Michigan

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY 208572/ap

Dear Mrs. Sutliff:

Your letter of September 16, 1955,  
with enclosures, has been received. I would like  
to thank you for your courtesy in bringing this  
material to my attention and for giving me the  
benefit of your observations.

Sincerely yours,

John Edgar Hoover  
Director

*What About Tax Exemption?*  
I II

NOTE: Enclosures consisted of clippings from various  
magazines and newspapers and are of no interest to the  
Bureau.

*Phamlet*  
RGE:bs  
(3)

*The Minute Woman, the 4-2-51  
August Newsletter*

Tolson \_\_\_\_\_  
Boardman \_\_\_\_\_  
Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Mohr \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Casper \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Tavel \_\_\_\_\_  
Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

COMM - FBI  
SEP 26 1955  
MAILED 31

58 OCT 17 1955

8 OCT 4 1955

*Handwritten signatures and initials:*  
V. G. ...  
M. ...  
K

The Attorney General

September 27, 1955

Director, FBI

FUND FOR THE REPUBLIC, Inc.

I thought you would be interested in an item which appeared on the United Press ticker on the evening of September 26, 1955, to the effect that Harry S. Ashmore, Executive Editor, "Arkansas Gazette," Little Rock, Arkansas, had announced that he was taking a leave of absence in early October to become a personal assistant to Adlai E. Stevenson. The United Press ticker quoted Ashmore as having stated that Stevenson had asked him to "assist in developing the issues for the 1956 election. As titular head of the party, the Governor intends to take an active part in the campaign whatever his personal role may be."

You will no doubt recall that Mr. Ashmore is a member of the Board of Directors of the Fund for the Republic, and you will further recall that Mr. W. H. Farry is the Vice President of the Fund, having at one time served as Publicity Director for the Congress of Industrial Organizations--Political Action Committee.

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DATE 7-26-81 BY SP8 BTJ/ap

cc: Mr. William P. Rogers  
Deputy Attorney General

RECORDED - 87

cc: Mr. William F. Tompkins  
Assistant Attorney General

INDEXED - 87

100-371647-186

cc: Mr. Boardman

811-X3

cc: Mr. Belmont

cc: Mr. Jones

LBN:arm

(9) arm

SEP 30 1955

SEP 27 4 48 PM '55  
RECEIVED READING ROOM  
FBI

ENCLOSURE  
(Glen Stem)

Tolson  
Boardman  
Nichols  
Belmont  
Harbo  
Mohr  
Parsons  
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Sizoo  
Winterrowd  
Tele. Room  
Holloman  
Gandy

COMM - FBI  
SEP 28 1955  
MAILED 25

59 OCT 4 1955

LITTLE ROCK, ARK.--HARRY S. ASHMORE, EXECUTIVE EDITOR OF THE ARKANSAS GAZETTE, ANNOUNCED TODAY HE WILL BEGIN A LEAVE OF ABSENCE IN EARLY OCTOBER TO BECOME A PERSONAL ASSISTANT TO ADLAI E. STEVENSON, 1952 DEMOCRATIC PRESIDENTIAL NOMINEE.

ASHMORE SAID THIS "DOES NOT NECESSARILY MEAN THAT GOV. STEVENSON HAS MADE A FINAL DECISION CONCERNING HIS AVAILABILITY FOR THE NOMINATION."

ASHMORE SAID STEVENSON ASKED HIM TO "ASSIST IN DEVELOPING THE ISSUES FOR THE 1956 ELECTION. AS TITULAR HEAD OF THE PARTY, THE GOVERNOR INTENDS TO TAKE AN ACTIVE PART IN THE CAMPAIGN WHATEVER HIS PERSONAL ROLE MAY BE."

9/26--TS825P

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DATE 7-26-89 BY 288237J/28

ENCLOSURE

100-391692-186

## Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: September 28, 1955

FROM : W. C. Sullivan

SUBJECT: THE FUND FOR THE REPUBLIC, INC.  
CENTRAL RESEARCH MATTER

Tolson	_____
Boardman	_____
Nichols	_____
Belmont	_____
Harbo	_____
Mohr	_____
Parsons	_____
Rosen	_____
Tamm	_____
Sizoo	_____
Winterrowd	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

This is a status memorandum to advise you of the progress being made on the monograph relating to the captioned matter. The Fulton Lewis, Jr., broadcast of September 21, 1955, reported that The Fund for the Republic, Inc., distributed a document to Federal judges which was erroneously labeled as a "Report on the Security Problems" released by the Subcommittee of the Senate Committee on Government Operations considering Senate Resolution Number 21. Actually, according to Lewis, this was not a Report as claimed, but was merely a speech of Senator Humphrey which had been placed in the Congressional Record. The New York office has advised that this Report is enroute to the Bureau.

The captioned monograph has been typed in final form. However, corrections are being made and will be completed along with any additions or amendments developed from the situation involving the "Report on the Security Problems."

RECOMMENDATION:

None. This is for your information.

RWS:mjh

(3)

1 - Mr. Belmont  
1 - Section tickler

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DATE 7/26/89 BY SP8 BJS/SP8

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1955

CENTRAL RESEARCH



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DATE 7/26/89 BY 28257/af

September 26, 1955

MEMORANDUM FOR MR. TOLSON

MR. BOARDMAN  
MR. BELMONT  
MR. NICHOLS

On Tuesday evening, September 20,  
Mr. Tolson and I had occasion to have a conversation with  
Mr. Henry Ford at Le Pavillon Restaurant in New York  
City.

Mr. Ford stated that he understood that  
I was mad at the Ford Company because of the activities of  
the Fund for the Republic. I told Mr. Ford that I was not  
mad at the Ford Company but I was certainly not very happy  
at the activities of the Fund for the Republic and that, of  
course, in the final analysis such a monstrosity was made  
possible through the Ford Foundation which had been established  
with funds of the Ford Corporation. Mr. Ford stressed at  
great length the fact that the Ford Company and the Ford  
Foundation have no control over the actions of the Fund for  
the Republic, it being an entirely separate entity.

~~X~~ Ford Motor Company

During the course of the conversation comment  
was made by him of the contemplated inquiry by the Internal  
Revenue Service into the status of the Fund for the Republic.  
He stated that he knew that the contract between the Fund for  
the Republic and Herb Block, the cartoonist who has been  
hired by the Fund for the Republic to portray some cartoons,  
had been personally changed by Dr. Robert M. Hutchins, no longer  
President of the Fund for the Republic. Mr. Ford stated that  
the original contract had put in a proviso that the cartoons  
and work of Herb Block were not to be used for any political  
purposes. This particular portion of the contract was crossed  
out by Dr. Hutchins before it was signed by the parties to it.

RECORDED-35 Very truly yours, 100-391697-188

INDEXED-35

15/12/24 OCT 3 1955

John Edgar Hoover  
Director

SENT FROM D.O.	
TIME	11:43 AM
DATE	9-26-55
BY	7/2/55

- Tolson
- Boardman
- Nichols
- Belmont
- Harbo
- Mohr
- Parsons
- Rosen
- Tamm
- Sizoo
- Winterrowd
- Tele. Room
- Holloman
- Gandy

59 OCT 6 1955

JEH:tlc (7)

100-391697-188  
RECORDED COPY FILED IN 94-37531-✓

September 21, 1955

ROSALIE HARRIS, nee Forman  
aka Mrs. Louis Harris  
Property and Supply Clerk  
Signal Corps Supply Depot  
Department of the Army  
Philadelphia, Pennsylvania  
SECURITY OF GOVERNMENT EMPLOYEES

Rosalie Harris was born May 18, 1924, in Philadelphia, Pennsylvania. She originally married Louis Harris but was separated from him in 1952. She was employed by the Department of the Army on February 27, 1951, and received a clearance for access to information classified up to and including "secret."

Full field investigation was conducted concerning Rosalie Harris in 1952 based on information that a brother of the employee, Leroy Furman, was associated with individuals reliably reported to have been members of the Communist Party and that Leroy Furman associated with activities supported by the Communist Party.

Leroy Furman and Rosalie Harris were residing at 1225 South 17th Street, Philadelphia, Pennsylvania, in 1952.

Information was developed and reported that:  
(1) In March, 1951, Leroy Furman, 1225 South 17th Street, Philadelphia, Pennsylvania, received a letter from the Civil Rights Congress reminding him of his pledge to raise \$10. (2) The Pennsylvania edition of the "Worker" for May 21, 1950, listed one Leroy Furman as one of the signers of a letter urging defeat of the Mundt Bill. (3) Leroy Furman was reported to be a close associate of Henry Beitscher who had attempted to induce Leroy Furman to attend the National Convention of the Progressive Party in Chicago in July, 1952.

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DATE 7/26/88 BY 082 CBJ/08

Henry Beitscher was reliably reported to have been a member of the Communist Party in 1950. (4) During August and September, 1952, Leroy Furman was active in the Progressive Party.

Leroy Furman is a security index subject of the Philadelphia Office (Bufile 100-386756) and was reportedly active in the Communist Party underground in Philadelphia. The reported Communist Party underground activities of Leroy Furman were not set forth in the loyalty investigation in order that the security investigation of Furman would not be jeopardized. The Security Matter - C, Internal Security Act of 1950 reports on Leroy Furman have been forwarded to G-2 and to the Department of Justice.

Reliable confidential informants of the Philadelphia Office do not know Rosalie Harris. Neighbors, fellow employees and acquaintances considered Rosalie Harris loyal.

The results of the full field investigation were sent to the Civil Service Commission and to the Department of Justice by letters dated December 5, 1952. The attorney for Rosalie Harris, William J. Woolston, sent a letter dated August 24, 1954, to the Security Review Board, Department of the Army, Washington, D. C., in which he stated that since the hearing granted Rosalie Harris on March 31, 1954, Rosalie Harris had remarried and because of that remarriage "the conditions under which Mrs. Harris now lives may well be distinguishable from those under which she was living at the time of the hearing. These changed conditions may establish to the satisfaction of the Review Board that Mrs. Harris does not maintain a close and continuing association with her brother, Leroy Furman. Certainly, there has been a change of conditions since March 31, which change should be considered in a determination of the actual existing association between Mrs. Harris and her brother, Leroy Furman. It follows that Mrs. Harris should be given an opportunity to present the changed conditions...."

The Civil Service Commission by letter dated January 14, 1955, advised that Rosalie Harris had been "separated because of unfavorable report on October 7, 1954, under PL 733."

On February 2, 1955, Rosalie Harris filed a complaint in the U. S. District Court, Eastern District of Pennsylvania against the Commanding Officer, Signal Corps Supply Depot, Philadelphia, requesting: (1) The defendant be directed to issue a proper order granting her a hearing in accordance with due process. She contended she was not given a hearing as provided for in Executive Order 10450, was not specifically charged or advised of the evidence against her, and was not permitted to examine and confront persons who submitted information against her. (2) In lieu of such a hearing Rosalie Harris requested that she be offered re-employment in her former position or one similar thereto at the Signal Corps Supply Depot, Philadelphia. The U. S. Attorney, Philadelphia, filed a motion to dismiss on the grounds that the Secretary of the Army is an indispensable party to the suit, can only be sued in Washington, D. C., and, therefore, the U. S. District Court, Eastern District of Pennsylvania, has no jurisdiction in this case. The judge has this motion under consideration.

PHE

ESTHER HAYES GREENSHAW, nee Morrisworth  
 aka Mrs. Freddie Lee Greenshaw  
 Lucile Haley, Mrs. Fred Samuel Haley  
 Clerk Typist  
 Sacramento Air Materiel Area  
 U. S. Air Force  
 McClellan Air Force Base  
 McClellan, California

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 DATE 7/26/89 BY 2088 STJ

Employee was investigated under Executive Order 9835 in April and May of 1948 on the basis of information furnished by her to an Agent of the San Francisco Office in connection with another investigation under the Loyalty Program in March, 1948. At that time the employee held the position of clerk typist in the Social Service Department of the Veterans Administration, Oakland, California, where she had been employed since October 29, 1946. During the interview in 1948 the employee advised she had been a member of a social club composed of approximately 20 students of the Berkeley, California, High School, which club was known as "Jacks and Jills Club". She stated that during a period from 1943 to 1944 at least one-half of the members of this club were also members of the American Youth for Democracy (AYD). The employee admitted she was a member of the AYD for about four months during this period, but at that time did not consider the AYD a "subversive organization." This information was furnished by the employee in connection with the investigation of Julia Francis Cooksey, nee Hudspeeth, aka Mrs. Alvin Cooksey, an employee of the Army at Fort Mason, California.

During the investigation of the employee, Miss Alice Tyler, girls' counselor at Berkeley High School during the period employee was a student there advised that "a check of her records" revealed that the employee told Miss Tyler in 1944 that she was a member of the Jacks and Jills Club and the AYD. Miss Tyler said that the employee told her she had been a member of the AYD for only a few months in 1944.

Reverend James Dee Wilson, Sr., a reference, advised in 1948 that the employee formerly belonged to the Jacks and Jills Club and the AYD. He said he learned this from his son, James Dee Wilson, Jr., who had belonged to both of these

- Tolson \_\_\_\_\_
- Boardman \_\_\_\_\_
- Nichols \_\_\_\_\_
- Belmont \_\_\_\_\_
- Harbo \_\_\_\_\_
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- Parsons \_\_\_\_\_
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- Tamm \_\_\_\_\_
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- Winterrowd \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holloman \_\_\_\_\_
- Gandy \_\_\_\_\_

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 121-4932  
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 (7)

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ENCLOSURE

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organizations. Reverend Wilson commented that he firmly believed the young people were unaware of the Communist domination of the AYD and that when they learned of this they withdrew from it. Wilson, Miss Tyler and others contacted during the 1948 investigation did not question the employee's loyalty. It should be noted that the employee was 18 years of age in 1944.

The results of the investigation were furnished to the Civil Service Commission and by letter dated September 20, 1948, the Civil Service Commission advised that the employee's case had been adjudicated under Executive Order 9835 and she had been "retained."

A loyalty form dated October 30, 1952, reflects that the employee under the name Leola Raye Greshaw was then employed as a clerk typist by the Department of the Air Force, McClellan, California. By letter dated May 11, 1953, the Civil Service Commission advised that the employee had been "rated eligible on loyalty" under Executive Order 9835.

By letter dated April 8, 1955, the Civil Service Commission advised that a "favorable determination" had been made in this case under Executive Order 10450.



September 21, 1955

WILLIAM VINCENT VITARELLI  
Education and Training Specialist  
Office of the High Commissioner  
Trust Territory of the Pacific Islands  
Department of the Interior  
Honolulu, T. H.  
SECURITY OF GOVERNMENT EMPLOYEES

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/89 BY SP8 BTJ/pj

Vitarelli was born October 21, 1910, at New York, N. Y., graduated from Newark (New Jersey) Teachers College in 1933 and attended Teachers College, Columbia University, New York, N. Y. He has been employed as a teacher in Pennsylvania, Georgia, New York and Illinois. He was employed as an Educational Administrator, Palau District, Western Caroline Islands, from November 1, 1950, until his separation, September 10, 1954.

Investigation of Vitarelli under the provisions of Executive Order 9835 was conducted in 1952, based on his association with alleged Communists and Communist sympathizers. Reports reflecting the results of the Bureau's investigation were furnished to the Civil Service Commission and to the Department on June 11, 1952. The results of foreign investigation conducted by the Department of the Navy were disseminated on August 15, 1952. By memorandum dated March 27, 1953, the Loyalty Review Board advised that Vitarelli was "eligible on loyalty" under Executive Order 9835. Subsequently, by memorandum dated October 6, 1954, the Civil Service Commission advised Vitarelli was terminated on September 10, 1954, in the interests of the national security following review of his case under Executive Order 10450.

The Bureau's reports of investigation of Vitarelli reflected the following information:

Security investigation of Robert Durant Feild, former Director of the Newcomb Art School, Tulane University, New Orleans, Louisiana, reflected Feild a member of innumerable Communist front organizations. Feild, in his correspondence, talked of the necessity of revolution and mentioned frequent contact with people subscribing to Marxism. Feild has been described as a follower of the Communist Party line and allegedly has admitted being a "Leninist." A confidential informant furnished the Bureau copies of two letters addressed to Feild by Vitarelli dated July 30, 1944, and December 6, 1945, and of a letter from Feild to Vitarelli dated December 29, 1945. These letters reflected close personal association between Feild and Vitarelli and sympathy for each others views.

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Vitarelli employed West Georgia College, Carrollton, Georgia from January, 1943 until terminated in August, 1944, because college officials considered him unsound, erratic and extreme in his educational methods and personal views. Vitarelli was noted as having frequently referred to "the people's movement" and as having associated with Donald Lee West, a known member of the Communist Party, and with James Lamar Barfoot, a close associate of known Communist Party members, in an effort to organize a teachers' union. College officials also considered Vitarelli to be insincere in his alleged Pacifist views.

Associates at the George School, Pennsylvania, where Vitarelli was employed from 1933-36 and 1938-40, all recommended him with regard to loyalty, but described him as overly enthusiastic and a progressive educator whose actions in furtherance of his ideas might cause some question of his sympathies.

James A. Michener, author of "South Pacific," who was acquainted with Vitarelli as a fellow teacher at George School and during Vitarelli's subsequent residence in Erwinna, Pennsylvania, 1947-50, described Vitarelli as an absolute liberal and as the type who is inclined to go to extremes in following the dictates of his conscience. Based on his numerous discussions with Vitarelli, Michener stated he believed Vitarelli to be thoroughly loyal.

One informant, the postmaster at Erwinna, Pennsylvania, stated it was his recollection that Vitarelli had received, the "Daily Worker" for a time, but he was not certain due to the passage of time.

The name of "William V. Vitarelli, Research Associate, Teachers College, Columbia University, New York 27, New York," appeared on the mailing list of the "USSR Information Bulletin," as of September, 1951. Several acquaintances in New York described Vitarelli as a strict adherent to the Quaker principle of Pacifism, as a humanitarian who opposes all racial prejudices, inequality and discrimination, and as a champion of the underdog. Board of Election records in New York City reflected that Vitarelli registered preference for the American Labor Party in 1945.

By letter dated February 28, 1954, (received March 11, 1954) Vitarelli wrote the Bureau regarding his security status and enclosed a comprehensive summary of his personal, educational and professional career in which he explained at length the development of his views on education, on Pacifism and his conscientious objection to service in World War II. Copies of Vitarelli's letter and of its enclosure were furnished to the Department of the Interior, Civil Service Commission and the Department of Justice by communications dated March 16, 1954.

Mr. A. Rosen

September 27,  
1955

Mr. G. H. Stanley

PERSONNEL SECURITY CASE STUDIES  
COLLECTED BY ADAM YARMOLINSKY  
UNDER GRANT FROM THE FUND FOR  
THE REPUBLIC, INCORPORATED

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11/26/89 BY 208053/af

Stanley's memorandum to Mr. Rosen, dated September 8, 1955, reflected that the 310 page booklet setting forth histories of 50 personnel security cases gathered under the direction of Adam Yarmolinsky, a Washington, D. C., attorney, was being reviewed by pertinent Seat of Government supervisors in an effort to identify the cases referred to in the booklet. It was further noted in the referenced memorandum that as of that time apparent identification had been made in three of the cases, namely case number 40 was felt to refer to the case of Sylvia Layton, a former Air Force employee; case number 60 was believed to relate to the case of Beatrice Campbell, a Veterans Administration employee, and case number 107 was believed to be the case of Edward Schwartz, a former Post Office employee.

As a result of the continuing review of this booklet by the pertinent supervisors, apparent identification has been made in three additional cases. These are case number 59, which appears to be the case of Leola Raye Crenshaw, an employee of the Department of the Air Force; case number 58, which is believed to be the case of William Vincent Vitarelli, a former employee of the Interior Department and case number 75, which is felt to be the case of Rosalie Harris, a former employee of the Department of the Army.

Regarding Leola Raye Crenshaw, it is noted the Bureau conducted a full field investigation of her under Executive Order 9835 (former Loyalty Program) in 1948, based upon information furnished by her in March, 1948, to an agent of the San Francisco Office during the course of another investigation to the effect she had been a member of the

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Tele. Room \_\_\_\_\_  
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62-101860

Enclosure

cc: Mr. Nichols, Room 5640 (Sent Direct)  
Mr. Belmont, Room 1742 (Sent Direct)

121-4032

121-37320

121-40423

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62-101860

Memorandum for Mr. A. Rosen.

American Youth for Democracy (designated by the Attorney General) for about four months during the period 1943 to 1944. At that time Cronshaw was eighteen years of age and attending the Berkeley, California, High School. In 1948 Cronshaw was employed with the Veterans Administration, Oakland, California, and by letter dated September 20, 1948, the Civil Service Commission advised her case had been adjudicated under Executive Order 9835 and she had been retained in her position. She became employed with the Air Force in 1952 and by letter dated May 11, 1953, the Civil Service Commission advised she had been rated eligible on loyalty under Executive Order 9835. By letter dated April 8, 1955, the Civil Service Commission advised that a favorable determination had been made in Cronshaw's case under Executive Order 10450 (current Employee Security Program).

Regarding William Vincent Vitarelli, it is noted the Bureau conducted a full field investigation of him in 1952 under Executive Order 9835, based on his association with alleged Communists and Communist sympathizers. By letter dated March 27, 1953, the Civil Service Commission advised Vitarelli had been rated eligible on loyalty under Executive Order 9835. By letter dated October 6, 1954, the Civil Service Commission advised Vitarelli was terminated from employment on September 10, 1954, under Executive Order 10450.

With respect to Rosalie Harris, it is noted the Bureau conducted a full field investigation of her in 1952 under Executive Order 9835, based on the Communist activities of her brother, Leroy Furman, with whom Harris was residing in 1952. Leroy Furman is a security index subject. By letter dated January 14, 1955, the Civil Service Commission advised Harris had been separated from her position on October 7, 1954, under Public Law 733 (Public Law 733 approved August 26, 1950, authorized certain agency heads including the Secretary of the Army, to terminate the employment of any civilian employee whenever the agency head determined such termination to be necessary or advisable in the interest of the national

Memorandum for Mr. A. Rosen

security. The authority delegated to the agency heads named in Public Law 733 was extended to all agency heads by Executive Order 10450.). On February 2, 1955, Harris filed a complaint in the Eastern District of Pennsylvania against the Commanding Officer, Signal Corps Supply Depot, Philadelphia, Pennsylvania, asking either to be given a rehearing or reinstatement to her position. The U. S. Attorney, Philadelphia, has filed a motion to dismiss the complaint on the grounds the Secretary of the Army is an indispensable party to the suit and can only be sued in Washington, D. C., and therefore, the District Court in Pennsylvania does not have jurisdiction in the Harris case. The judge has this motion under consideration.

It is noted that in the introduction to the booklet, Yarmolinsky stated the material for the case histories was obtained from the files of the lawyers who advised or represented the employees and that he had tried to rely in the main on documentary material, such as the written charges, the employees' written response and the transcript of the hearings. In the Crenshaw, Harris and Vitarelli cases it appears this was done and the histories deal with the adjudication phase of these cases. Attached are more detailed memoranda reflecting the information in the Bureau's files on Crenshaw, Vitarelli and Harris.

RECOMMENDATION:

None. For your information. The review of Yarmolinsky's booklet is being continued and you will be advised of any further cases identified.

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols *may*

FROM : M. A. Jones *may*

SUBJECT: FULTON LEWIS, JR.  
RADIO BROADCAST  
SEPTEMBER 19, 1955

DATE: September 20, 1955

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 Tele. Room \_\_\_\_\_  
 Holloman \_\_\_\_\_  
 Gandy \_\_\_\_\_

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 7/26/88 BY 28857 J/S

Fulton Lewis, Jr., in his broadcast for the evening of September 19 touched on the Fund for the Republic. He said that Stanford University had accepted the \$25,000 from the Fund for the Republic for the study of testimony by former Communists who have been witnesses in various proceedings. According to Lewis, Stanford made it very clear that the Fund for the Republic will not be permitted to exercise any influence over the study or the results. The President of the University said the study will be an impartial study by legal scholars. Lewis said that the President of the University stated that in accepting this grant which has been commented on by certain newspapers, columnists and radio commentators the University reaffirms that one of its chief functions is to encourage research into problems which they deem worthy of investigation. The President said the University was concerned only that its scholars adhere to those standards and independence of judgment along with impartial evaluation which have always motivated true scholars. The President said that these principles will be followed by the faculty in carrying out the research contemplated under the grant.

Lewis said that a young attorney, Herbert Packer, from the city of Washington who has been employed on another slanted project for the Fund for the Republic is going to join the law faculty of Stanford University and will participate in the study and as long as the study/ultraliberal and very political minded Dean of the University, Carl Spaeth, (phonetic) it is highly suspect from a realistic standpoint.

Lewis went on to say that Hutchins in announcing the grant/the study will be made under the direction of Herbert Packer who will work in Washington until January 1 at which time he will join the Stanford law faculty. Lewis said that from this statement it appears that Packer will be working on the project until January 1 without any supervision at all for the next three months.

Lewis concluded by saying, "As we proceed with this investigation, there is a tremendous amount of digging and checking and following down leads wherever necessary."

cc - Mr. Boardman

cc - Mr. Nichols

ECK:grs

cc - Mr. Belmont

cc - Bufile 100-391697

2 SEP 30 1955

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Memorandum to Mr. Nichols

September 20, 1955

He added that all of this has to be done with the greatest of care so, as a result, there will be evenings when there will be nothing to report. He added that there are several startling and very shocking angles on which he was working and that he may have one on Tuesday night. If not, "We will have to wait until Wednesday."

*[Handwritten initials: JRM]*  
*[Handwritten checkmark]*  
*[Handwritten checkmark]*

The Attorney General

September 29, 1955

Director, FBI

FUND FOR THE REPUBLIC

The Bureau has been informed by a confidential but reliable source that the Fund for the Republic has entered into a contract with the cartoonist of "The Washington Post and Times Herald," Herb Block. The contract, according to the Bureau's information, contained a proviso that the cartoons and comments of Herb Block were not to be used for any political purposes. However, Robert M. Hutchins, President of the Fund for the Republic, according to the Bureau's information, personally crossed out this proviso in ink prior to the time the contract was signed by the parties thereto. The Bureau has been informed that if the Internal Revenue Service should make inquiry into the manner in which the Fund for the Republic is spending its funds, this contract would confirm charges which had been made against the Fund for the Republic. The Bureau's source is such that it could not be identified under any circumstances.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/89 BY SP8 BTJ

cc: Mr. William P. Rogers  
Deputy Attorney General

cc: Mr. Warren Olney III  
Assistant Attorney General

cc: Mr. William F. Tompkins  
Assistant Attorney General

cc: Mr. Boardman

cc: Mr. Belmont

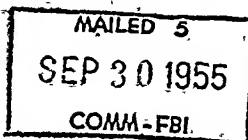
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OCT 10 1955

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/89 BY SP8 BTJ

## Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: September 23, 1955

FROM : W. C. Sullivan

SUBJECT: THE FUND FOR THE REPUBLIC, INC.  
INTERNAL SECURITY - CALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY 2088 JAF

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Fulton Lewis, Jr., in his broadcast on September 21, 1955, said among other things that The Fund for the Republic distributed a document which was labeled at the top of each page as a Report on the Security Problems released by the Subcommittee of the Senate Committee on Government Operations considering senate resolution twenty-one. (SR21)

This document was distributed by The Fund for the Republic after August 2, 1955, to Federal Judges throughout the United States. The report is an attack on the security system of the Federal Government. The main portion of the document is a copy of part of the June 27, 1955, issue of the Congressional Record. The portion copied was reproduced intact. Each page, however, was labeled as a report of the subcommittee mentioned above.

According to Lewis, an important omission was made by not including an identifying paragraph that actually this was not a report of the subcommittee but merely a statement by Senator Hubert Humphrey of Minnesota which was placed by him into the Congressional Record. The statement was actually written by one Harold T. Green.

Lewis said Senator Humphrey's office was contacted by The Fund for the Republic for permission to reproduce this statement. The reproduction, however, labeled it as the report of the subcommittee. When this was called to the attention of Senator Humphrey's office, his office contacted The Fund for the Republic, pointing out that this was merely a statement by Senator Humphrey and not a report by the subcommittee. After this, The Fund for the Republic then sent cards to the original recipients of the document retracting the portion labeling the document as the report and advising that it was merely a statement by Senator Humphrey.

It is believed that we should determine whether Lewis is accurate in this matter and if so, the material can be used in the monograph now being brought to completion on The Fund for the Republic.

WCS:mjh

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1 - Mr. Belmont

1 - Section tickler

EX-107

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Central Records - Under

Memorandum to Mr. A. H. Belmont from W. C. Sullivan

Therefore, it is necessary for the Bureau to possess a copy of this document which allegedly was distributed to Federal Judges throughout the United States. In Washington, D. C., it is likely we could secure very discreetly such a copy from Judges Holtzoff, Curran, Tamm or McGuire. In New York, it is likely we could secure under the same circumstances a copy from Judges Murphy or Kaufman.

RECOMMENDATION:

It is recommended that New York be immediately contacted by telephone and requested to secure the document in question from either Judges Murphy or Kaufman and forward it to the Bureau immediately.

done 9/23/51  
Supervisor [redacted] if  
will advise teleph. if  
secured or not  
to Bureau at once  
ZB

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*JP*

*(C)*

## Office Memorandum - UNITED STATES GOVERNMENT

TO :

Mr. Tolson

DATE: 9/26/55

FROM :

L. B. Nichols

SUBJECT:

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/80 BY 208 ON JAF

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For record purposes, Jack Bugas, of the Ford Motor Company, called endeavoring to reach me on 9/7/55, while I was out of town. I talked to Bugas on 9/8/55. Bugas stated that he wanted to bring me up to date with reference to the developments in the Fund for the Republic. He stated that young Henry Ford was now very much exercised and was carrying on a campaign with the hope of unseating the two top individuals, namely, Paul Hoffman and Robert M. Hutchins. I asked him about W. H. Ferry. Bugas stated that obviously Ferry would go too.

Bugas kept telling me that Henry Ford was very much exercised and he had gotten some of the Trustees exercised. I asked him who they were. He stated that one of the individuals who was very much disturbed was Bethuel M. Webster. I told Bugas that this was rather interesting, particularly in light of the fact that at one time Webster had represented William Remington. Bugas stated that this was news to him. Bugas then informed me that it would be most helpful if he could have a memorandum for his own confidential guidance pointing out the left-wing activities of the Fund for the Republic.

I told Bugas that this would be rather difficult and I did not see how we could do anything but if we could I would get in touch with him. Bugas said nothing whatsoever about the protest of the American Legion at the time which made me very suspicious. In the course of the conversation, Bugas told me that Earl Newsome, a public relations consultant, had been spending considerable time in Detroit; that Newsome, himself, was upset and that Bugas had talked to Newsome about the Fund for the Republic project of investigating the FBI and the American Legion. Newsome expressed the view that he thought any such project as that of investigating the FBI by the Fund for the Republic was beyond the realm of possibility. Bugas stated that he was not unmindful of the fact that W. H. Ferry had worked for Newsome at one time, and that there might be a close relationship between the two.

cc - Mr. Boardman

Mr. Belmont

LBN:fc

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Memorandum for Mr. Tolson from L. B. Nichols

9/26/55

*NO LOC*

In connection with Earl Newsome, while talking to George Sokolsky on other matters, I asked him if he had ever had much contact with Newsome. George stated that Newsome was very close to Elmore Roper who is a member of the Board of Trustees for the Fund for the Republic; that he and Roper had been advising businessmen to liberalize themselves to meet new conditions; that among others, Newsome represents the American Locomotive Company, the Ford Foundation, and the Standard Oil Company of New Jersey.

George further stated that he has always been suspect of Newsome because during the days of OPA, on his own volition, Newsome called a meeting of public relations men and urged them to take a stand for OPA against their bosses. Subsequently, George told me that while W. H. Ferry was with the War Production Board, he got into some sort of difficulties in a controversy over the handling of scrap iron and steel. Ferry was put into the War Production Board by Sidney Hillman and George felt that it might be very productive to get a discreet line on the background of Earl Newsome and to see if there was any available information on the alleged difficulties Ferry had with the War Production Board. George further stated that Newsome might be the individual who has been responsible for some of the left-wing developments in big business.

*Files are being  
checked on Newsome.*

*Done  
9/28/55  
m m*

*✓* *mm*

## Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. NICHOLS

DATE: September 28,  
1955

FROM : M. A. JONES

SUBJECT: EDWIN EARL NEWSOM  
INFORMATION CONCERNINGALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/99 BY 20885 J/af

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PURPOSE:

In your memorandum to Mr. Tolson dated September 26, 1955, reviewing your conversation with Jack Bugas of the Ford Motor Company concerning developments in the Fund for the Republic, Bugas mentioned the name of Earl Newsom, a public relations consultant. While talking with George Sokolsky on other matters, you asked if he had ever had much contact with Newsom. Sokolsky stated that Newsom was very close to Elmo Roper, who is a member of the Board of Trustees for the Fund for the Republic, and that Newsom and Roper had been advising businessmen to liberalize themselves to meet new conditions. Newsom represents, among others, the American Locomotive Company, the Ford Foundation, and the Standard Oil Company of New Jersey.

Sokolsky further stated he has always been suspect of Newsom because during the days of OPA, Newsom, on his own volition, called a meeting of public relations men and urged them to take a stand for OPA against their bosses. Sokolsky further stated that Newsom might be the individual who has been responsible for some of the left-wing developments in big business.

In accordance with your request, there is set forth below a summary of information in Bufiles concerning Newsom:

EDWIN EARL NEWSOM

The 1954-1955 edition of "Who's Who In America" states that Edwin Earl Newsom was born December 13, 1897, at Wellman, Iowa, the son of John Edward and Emma Ellen (Day) Newsom. He received an A.B. degree from Oberlin College, 1921; L.H.D. degree, Boston University, 1948. He was married June 14, 1923, to Lois Ruth Rinehart, and is the father of two children. Newsom has been employed as a teacher, Western Reserve Academy, Hudson, Ohio; McBurney School for Boys, New York City; Memorial High School, Pelham, New York, 1921-25. He served as a staff member, Literary Digest, New York City, 1925-27; executive secretary, Oil Heating Institute, 1927-29; vice president, John Day Publishing Company, 1929-31; director, Public Relations and Sales, Distributors Group, Incorporated, 1931-33; partner, Norman Bel Geddes and Company, 1933-35; senior partner, Earl Newsom and Company, public

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Memorandum for Mr. Nichols

September 28, 1955

relations counsel, since 1935. He was a member of the Board of Trustees, Village of Pelham Manor, 1945-47. Newsom was a pilot in the U. S. Navy Air Corps in World War I. He is a trustee of Oberlin College, Emma Willard School, American Heritage Foundation. Clubs: Union League (New York City); Pelham Country (board of governors, 1943-45), Men's (president, 1938-39), Pelham Manor, New York; Blind Brook, (Portchester, New York). His home address is 45 Heywood Road, Pelham Manor 65, New York, and his offices are at 597 Madison Avenue, New York 22, New York.

Bufiles reflect that during early 1951 Edwin Earl Newsom was the subject of a "Special Inquiry-State Department (Voice of America)" investigation. This investigation developed nothing of a derogatory nature, and Newsom was recommended by former employers, neighbors, and references as being of good character, loyalty and associates. (123-8983)

The only other references to Newsom in Bufiles pertain to his registration with the State Department as an agent of a foreign principal in his capacity as public relations counsel to Air Commodore George G. Pirie, Air Attache, British Embassy, Washington, D. C., and the International Wool Publicity and Research Secretariat, London, England. Bufile 97-0-263 indicates that Earl Newsom and Company was listed as one of those whose Registration Statement was withdrawn from the public files of the State Department on March 9, 1942.

RECOMMENDATION:

For information.

*Wm*

**CONFIDENTIAL**  
FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE  
COMMUNICATIONS SECTION

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
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Mr. Boardman	_____
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WASH 1 FROM NEW YORK

DIRECTOR

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JAY LOVESTONE, WAS, MISCELLANEOUS INFORMATION CONCERNING ESPIONAGE.  
BUFILE SIXTYONE DASH ONE TWO NINE TWO. [NY SIX HUNDRED DASH S,  
ON THE EVENING OF NINE TWENTYSIX LAST, ADVISED THAT THE SUBJECT CONTACTED  
BEN MANDEL, WHOSE IDENTITY IS KNOWN TO THE BUREAU. MANDEL INFORMED  
SUBJECT HE HAD PROPOSED THAT EARL BROWDER BE INVITED AS A WITNESS,  
APPARENTLY BEFORE SENATE COMMITTEE. MANDEL STATED THAT BROWDER HAS  
BEEN EMPLOYED AS A CONSULTANT BY THE FUND FOR THE REPUBLIC. SOURCE  
INDICATED THAT SUBJECT WAS AWARE OF THIS AND MANDEL INFORMED HIM  
THIS HAD BEEN VERIFIED BY VIC RIESEL /POSSIBLY NY "DAILY MIRROR"  
WRITER/ WHO HAD CALLED UP THE FUND FOR THE REPUBLIC AND WAS ADVISED  
BROWDER IS CONNECTED WITH THEIR OFFICE. MANDEL STATED THAT THE  
"POST" /POSSIBLY WASHINGTON NEWSPAPER/ HAD CARRIED A STORY ON THIS  
MATTER ALSO. MANDEL NOTED THAT FOR SOME TIME BROWDER HAS BEEN  
WORKED FOR BY BOB MORRIS /BELIEVED TO BE NY JUDGE/ AND OTHERS,  
APPARENTLY REFERRING TO EFFORTS TO HAVE BROWDER FURNISH INFORMATION  
RE CP, USA. MANDEL HAS PROPOSED THAT BROWDER BE CALLED AS A WITNESS  
AND IF HE TALKS IT WOULD BE SO MUCH TO HIS CREDIT AND HE DOES NOT  
TALK THE QUESTION COULD BE RAISED HOW THE FUND FOR THE REPUBLIC  
COULD BE KITH. MANDEL PROPOSED THAT BROWDER'S TESTIMONY SHOULD BE  
CONSIDERED TO ILLEGITIMATE AS BROWDER HAS TESTIFIED AT LEAST  
NINETEEN THIRTYNINE. MANDEL SUGGESTED THAT

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~~CONFIDENTIAL~~

PAGE TWO

THE SUBJECT CONSIDER THIS MATTER AND TELEPHONICALLY CONTACT HIM ON NINE TWENTYSEVEN NEXT AND DICTATE TO A STENOGRAPHER HIS THOUGHTS CONCERNING THIS MATTER. MANDEL SUGGESTED THAT IT WOULD NOT BE NECESSARY FOR THE SUBJECT TO DO ANY RESEARCH. MANDEL INDICATED HE WANTED INFORMATION FROM THE SUBJECT TO ASSIST IN QUESTIONING BROWDER AND THAT THIS INFORMATION COULD BE FURNISHED BY THE SUBJECT IN THE FORM OF TOPICS WHICH GO RIGHT TO THE HEART OF THE MATTER AND MAY BE EMPLOYED TO REFRESH MANDEL-S MEMORY. MANDEL SUGGESTED THAT SUBJECT INCLUDE INFORMATION THAT BROWDER IS BOUND TO KNOW ABOUT AND WHICH WOULD REVEAL WHETHER OR NOT BROWDER WANTS TO TALK. MANDEL COMMENTED THAT IF BROWDER DOES NOT TALK THE FUND FOR THE REPUBLIC WILL BE ON THE SPOT. HE NOTED THAT THE FUND FOR THE REPUBLIC HAVE EXPERTS WHO ARE WORKING ON VARIOUS PHASES OF THE /CP/ MOVEMENT. SUBJECT CONSENTED TO ASSIST MANDEL AND INFORMED HIM HE WOULD CONTACT MANDEL VERY LATE ON THE EVENING OF NINE TWENTYSEVEN. SUBJECT ADDED THAT HE WILL BE IN WASHINGTON FOR A FEW HOURS ON NINE TWENTY SEVEN TO CONTACT GEORGE MEANY, PRESIDENT, AFL, RE SPEECH MEANY WILL MAKE BEFORE THE

~~CONFIDENTIAL~~

CORR.... LINE 13 WRD 4 SHD READ PHASES RPT "PHASES"

END PAGE TWO

PAGE THREE

~~CONFIDENTIAL~~

AMERICAN LEGION. SOURCE INDICATED SUBJECT WOULD HAVE DINNER WITH GEORGE MEANY ON NINE TWENTY SEVEN AND RETURN TO NYC FROM WASHINGTON AND THEREAFTER CONTACT MANDEL. MANDEL INDICATED IT WAS URGENT THAT HE RECEIVE THIS INFORMATION SINCE BROWDER WAS SCHEDULED TO COME IN TO TESTIFY ON WEDNESDAY NEXT. SUBJECT COMMENTED THAT ONE DRAPER OBTAINED A POSITION FOR BROWDER IN CONNECTION WITH THE FUND FOR THE REPUBLIC. MANDEL INDICATED HE WAS AWARE OF THIS AND HAD BEEN SO ADVISED BY DRAPER THAT BROWDER HAD BEEN WORKING WITH DRAPER BEFORE DRAPER RECEIVED A GRANT FROM THE FUND FOR THE REPUBLIC. THE SUBJECT REMARKED THAT THIS WAS A GOOD IDEA, HOWEVER, NOTED THAT MATERIAL WOULD HAVE TO BE OBTAINED OF A CURRENT NATURE AT THE TIME WHEN BROWDER WAS CP SECRETARY. HE ADDED THAT ONE ELIZABETH, POSSIBLY ELIZABETH BENTLEY, COULD GIVE MANDEL FURTHER INFORMATION. MANDEL NOTED THAT ELIZABETH HAS FURNISHED INFORMATION CONCERNING BROWDER IN HER TESTIMONY. SUBJECT ALSO INFORMED MANDEL HE MAY BE IN WASHINGTON ON THURSDAY

END PAGE THREE

~~CONFIDENTIAL~~



~~CONFIDENTIAL~~

PAGE FOUR

NIGHT OR FRIDAY NEXT. PURPOSE OF VISIT NOT STATED. DRAPER REFERRED TO ABOVE POSSIBLY IDENTICAL WITH THEODORE DRAPER OF NY WHO IS ENGAGED IN A STUDY PROJECT CONCERNING HISTORY OF THE CP IN THE UNITED STATES, NINETEEN NINETEEN TO NINETEEN FORTYFIVE, FOR THE FUND FOR THE REPUBLIC UNDER A PROJECT ENTITLED "STUDY OF COMMUNIST INFLUENCE IN AMERICAN LIFE" DIRECTED BY CLINTON ROSSITER OF CORNELL UNIVERSITY. J(8)

KELLY

END

NY R 1 WA BLW

TU DISC

*What do we know  
re Draper & Rossiter?*

MR. BELMONT  
ADMINISTRATIVE  
DOM. INTEL. DIVISION

~~CONFIDENTIAL~~

Mr. Nichols

October 3, 1955

M. A. Jones

FUND FOR THE REPUBLIC  
FULTON LEWIS, JR.  
BROADCAST  
OCTOBER 3, 1955

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/89 BY 28757/af

Mr. Lewis tonight devoted only a small part of his broadcast to the Fund for the Republic. He mentioned that listed as an Assistant to the President of the Fund is one Hilleck (ph.) Hoffman, son of Paul Hoffman, who, residing in Pasadena, became a prominent and controversial figure in the American Friends Service Committee (AFSC). This organization is connected with the Quaker sect, and Mr. Lewis indicated that he did not doubt the sincerity of some of its leaders. He notes, however, that on pages 17 and 24 of the Annual Report of the Fund it is indicated that on May 1, 1955, the Fund granted \$150,000 to the AFSC. In the words of Robert Hutchins, this grant was given because "Among those who suffer from unusual legal difficulties are those who conscientiously differ with prevalent practices and policies. The conscientious objector to military service does not fare very well in this country; nor does the person who conscientiously objects to taking oath or to talking about the unpopular activities of his acquaintances. You may note that this conscientious objection business is moving into a pretty broad field. In order to assist conscientious non-conformists and to help establish their rights, the Fund has made a grant to the American Friends Service Committee which will use it to obtain legal representation in cases of conscience, to litigate dubious points in the law and to provide economic assistance to defendants in certain instances." Mr. Lewis has indicated that he became interested in finding out just where this grant has gone, and he has been doing some "checking down" of the money. Tomorrow night he will talk about where the money has gone, and he feels that the matter will prove most interesting.

RECORDING SITUATION:

None. For your information.

100-391677-  
NOT RECORDED  
46 OCT 6 1955

cc - Mr. Nichols

cc - Mr. Boardman

cc - Mr. Belmont

cc - Fund for the Republic File (100-391677)

cc - American Friends Service Committee File

7 OCT 6 1955

The Attorney General

October 5, 1955

Director, FBI

FUND FOR THE REPUBLIC

Pursuant to our conversation today regarding the Fund for the Republic, I am attaching a copy of my memorandum to you dated September 29, 1955, relative to confidential information the Bureau received that the Fund for the Republic entered into a contract with the cartoonist of the "Washington Post and Times Herald," Herb Block.

JJM:gjm

(6)

cc: Mr. Boardman

Mr. Belmont

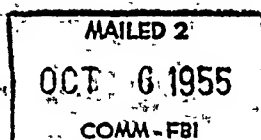
Enclosure

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/89 BY SP8 BTJ/ag

INDEXED - 75  
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EX-107

100-391497-195  
OCT 7 1955



Olson \_\_\_\_\_  
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Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Harbo \_\_\_\_\_  
Mohr \_\_\_\_\_  
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Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holloman \_\_\_\_\_  
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59 OCT 10 1955

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The Attorney General

October 4, 1955

Director, FBI

ROBERT M. HUTCHINS  
FUND FOR THE REPUBLIC

Attached for your information is a Photostat of an editorial concerning Robert M. Hutchins and the Fund for the Republic which appears in "The American Legion Magazine" for October, 1955.

Enclosure

cc - Mr. William F. Rogers (with copy of enclosure)  
Deputy Attorney General

cc - Assistant Attorney General (with copy of enclosure)  
William F. Tompkins

cc - Mr. Belmont  
Attention: Mr. Landis, with enclosure

GMP:meh  
(8)

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OCT - 7 1955

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HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY 88 BTJ

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REC'D MAIL ROOM

OCT 10 1955

5TH AVE W 56 ST

# EDITOR'S CORNER

## WHAT'S WRONG WITH AMERICA

A few weeks ago Robert M. Hutchins made a speech. Since you may wonder what is wrong with this country, as seen by the boss of the Ford Fund for the Republic, here are some of his immortal words, as uttered before a gathering of newspaper editors in Washington:

"You have filled the air with warnings of the sinister figures on the Left, but have printed almost nothing about the fat cats on the Right. You have allowed things to get to such a pass that some government departments now have guidance clinics in which the employee is taught how not to look like a security risk. Look at the Passport Division; interfering with the travel of Americans on their lawful occasions; at the Attorney-General's list, ruining the lives of thousands on the basis of hearsay; at the Post Office Department, saving us from Prayda and Aristophanes; at the State Department, adding the name of Corsi to those of Davies and Service and countless others. See the blacklist spreading in industry, merging with proposals that American Communists should be starved to death. Listen to the wiretapping, to the cry of Fifth Amendment Communist, to the ~~left~~ witness roaning the land..."

## THE BIG BRAINWASH

In view of the foregoing, it is frightening to realize that a man like Hutchins is handed \$15,000,000 to spend pretty much as he sees fit. Only a few of our greatest industries can afford that kind of an appropriation for advertising — companies such as General Motors, American Tobacco, and Standard Oil. Even the Ford Motor Company, the source of Hutchins' slush fund, spends no more to sell the Fords, Mercurys and Lincolns it turns out.

Considering the tremendous volume of goods that can be sold by \$15,000,000 spent in advertising, you get some idea of how much brainwashing Doc Hutchins can accomplish by spreading all his tax-exempt millions among like-minded "experts" in the academic-propaganda field. For this amount he may not be able to prove that black is white, but he's doing a pretty good job of selling unthinking Americans the idea that red is really red, white and blue.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY ~~258~~ B7J/agp

Photostat Copies made  
10-3-55

The American Legion Magazine  
October 1955

Memo to Attorney General  
10-4-55  
GMP

100-391697-194  
ENCLOSURE

## Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: September 13, 1955

FROM : W. C. Sullivan

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY 2583 BJS/MSSUBJECT: THE FUND FOR THE REPUBLIC, INC.  
COMMUNISM, CONFORMITY, AND CIVIL LIBERTIES

By Samuel A. Stouffer

Published by Doubleday and Company, Inc., New York, 1955

INTERNAL SECURITY - C

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Boardman	_____
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Mohr	_____
Parsons	_____
Rosen	_____
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Winterrowd	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

Set forth for the Director's information are some comments on, and quotations from, the above-captioned book which is the first really basic analysis of Communism made for the Fund for the Republic, Inc.

PURPOSE:

The purpose of this book is to examine in some depths the reactions of Americans to (1) the Communist conspiracy outside the United States and (2) the Communist conspiracy inside the United States as they both existed in 1954.

METHODOLOGY:

The methodology used in writing the book in question consists of surveys, polls of public opinion, use of questionnaires and interviews.

SCOPE:

5,000 average American citizens were surveyed plus 1,500 local community leaders, making a total of 6,500 persons who were utilized in securing information for the book. In doing this, 500 interviewers were employed from two national research agencies, the American Institute of Public Opinion (Gallup Poll), and the National Opinion Research Center of Chicago University.

CONCLUSIONS:

Some of the more important conclusions reached in this book are as follows:

WCS:mjh

(3)

1 - Mr. Belmont

1 - Section tickler

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2 AUTO-STATS MADE 9-29-55 24 OCT 6 1955

INDEXED - 8

EX-107

68 OCT 12 1955



Memorandum to Mr. A. H. Belmont from W. C. Sullivan

- (1) "For the purposes of the present study, the most significant finding is the absence of striking evidence of deep personal concern among the majority about either the Communist threat or the threat to civil liberties. Even among the community leaders, personal, family, and business problems clearly take high priority among their anxieties, along with other world, national, and local issues." (pp. 74 - 75)
- (2) "... only 5 % of the community leaders and only 2 % of the national cross-section say, even on a check-list question, that they are personally 'much' bothered about infringement of their right to speak their minds? ... the vast majority do not experience a serious assault on their civil liberties." (p. 82)

"... a picture of the average American as a person with the jitters, trembling lest he find a Red under the bed, is clearly nonsense. There may be such Americans, but they are very few in number. Moreover, very few have experienced any personal threat to their freedom of speech or are really worried about the threat to civil liberties in general. They take freedom for granted...."

"Of course one must not draw the inference ... that the internal Communist menace or the chipping away of civil liberties does not constitute a serious problem merely because the general public is not deeply anxious about either of these problems." (pp. 87 - 88)
- (3) "A quite convincing case can be made for the proposition that the most lethal danger facing America today from internal Communists is their potentiality for spying or, above all, for crippling sabotage in case of war. Yet the vulnerability of communications, bridges, tunnels, ports, factories, etc., to sabotage is apparently not the main threat in people's minds. In any event, it was seldom verbalized in this survey, as indicated by the fact that only 8 % mentioned anything that could be thus catalogued. What was on the minds of a much

Memorandum to Mr. A. H. Belmont from W. C. Sullivan

- larger number was the danger of Americans today becoming converts to Communism or Communist ideas. They saw perils of subversion of our youth in schools and colleges and of adults such as workers in factories, Negroes, and other minority groups, government employees, etc." (p. 160)
- (4) "The findings... emphasize further the remoteness of the Communist threat from the personal experience of most Americans." (p. 182)
- (5) "...it is the better educated people who, though alive to the dangers of Communist subversion, are the most tolerant of the rights of all people to express their views." (p. 217)
- (6) There are four main forces working on the side of tolerance in the United States today. These forces are: (a) the increase in the number of persons being educated and the improvement in the quality of the education given; (b) the increase in the number of individuals and families leaving the areas in which they were born to travel about and live in other sections of the Nation, thereby becoming more broad and cosmopolitan in their outlook; (c) the phenomenal growth in communications; and (d) the fairness, soundness and traditional common sense of Americans. (pp. 221 - 224).
- (7) Of the average persons interviewed as to whose opinion they would especially respect on how to handle United States Communists, (a) 27 % said J. Edgar Hoover; (b) 24 % said President Eisenhower; (c) 8 % said Senator McCarthy; (d) 14 % mentioned other persons; and (e) 27 % did not know. (p. 230)
- (8) Of the community leaders interviewed as to whose opinion they would especially respect on how to handle United States Communists, (a) 52 % said J. Edgar Hoover; (b) 16 % said President Eisenhower; (c) 5 % said Senator McCarthy; (d) 20 % mentioned other persons; and (e) 7 % did not know. (p. 230)

Memorandum to Mr. A. H. Belmont from W. C. Sullivan

OBSERVATIONS:

On the surface of things, one could not say that this very important book of the Fund for the Republic, Inc., is pro-Communist, pro-Socialist, "soft" toward Communism, opposed to national security or critical of the FBI. On the surface of things, it seems like an honest inquiry. The author goes so far as to say:

"A book like this should be read with just as critical an eye as a book based solely on impressions garnered here and there unsystematically. In the present study, impressions can be checked by actual counts based on scientifically selected samples, and therein lies much of its significance. But there will be times when the author necessarily offers his interpretation of what these counts mean, and this interpretation may be wrong. The author has tried earnestly to be objective -- to keep his own convictions about the danger of assaults by both Communists and anti-Communists upon the dignity and freedom of the human spirit from coloring his judgment as an analyst and reporter. Yet unconscious bias can occur. Readers will and should watch for it and supply their own correction factors in interpretation."  
(p. 24)

In spite of all this, when one probes beneath the surface of things and weighs and considers the intangibles, it provokes a certain uneasiness about the understanding and motivation of the author. My reasons for saying this are: (1) the presence of certain ambiguous overtones, hints, insinuations and implications concerning a widespread trend toward the violation of civil rights caused by incorrect anti-Communist methods; (2) the dubious distinction the author makes about the desirability of being tolerant of nonconformists (among whom he includes Communists) while not necessarily giving approval to all their ideas and practices; (3) the statement that educated people are more tolerant of Communists than the uneducated coupled with the sly implication that many more persons should be educated and properly informed; (4) the use of questionable assistants and sources used in preparing the book; (5) the odd phrasing of some inquiries made in the questionnaires used; (6) the author's association with alleged Communists, pro-Communists and Communist influenced organizations; and (7) the following naive or deliberately false statement made by the author:

Memorandum to Mr. A. H. Belmont from W. C. Sullivan

"It is doubtful whether any Americans, except for the small core of Communists and a scattering of right-wing Fascist extremists, believe in or preach political dictatorship. It is likewise doubtful whether any but a handful of disciplined Communists favor or advocate the domination of the world by Russia. The overt or covert advocacy of restriction of civil liberties is actually seen more often among the professional anti-Communists than among American Communists, who for tactical purposes profess zealous concern for rights which are, of course, denied in Russia."  
(p. 167)

The comments set forth here do not constitute a book review. One was done on this book April 22, 1955, (file number 100-407113-18).

The comments set forth here have been made to illustrate and accent the subtlety, slipperiness, nebulosity and double-sided approach of the Fund for the Republic, Inc., manifested in most all of its written works and activities. This procedure creates a position for the Fund which is easy to defend against attackers and difficult for a critic to catch precisely with words and pin down decisively without weakening qualifications.

The file reviews on some individuals connected with the Fund or its work appear to consist of more convincing, specific and factual evidence than does the literature the Fund has turned out or recommended to date for public consumption. IN SHORT, the actions, the deeds of these individuals are more revealing than their printed words. When studied as a whole, they tend to form a questionable pattern which will be brought out clearly in the monograph now under preparation.

RECOMMENDATION:

None. This is for the information of the Director.

*[Handwritten signature: W. C. Sullivan]*  
*[Handwritten initials: WCH]*  
*[Handwritten initials: JH]*

## Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 9-18-55

FROM : SAC, SAN FRANCISCO (105-3560)

SUBJECT: *Wey*  
~~STUDY OF GOVERNMENT SECURITY PRO-~~  
~~GRAM BY STANFORD LAW REVIEW,~~  
~~STANFORD, CALIFORNIA~~  
 IS - X

*Fund for the Republic*

Re San Francisco airtel, dated July 29, 1955, which advised that [ ] former Special Agent, presently Security Officer, [ ] California, advised that his firm had received a letter dated July 14, 1955, from CARL SPAETH, Dean, School of Law, Stanford University, Palo Alto, California, advising that the Stanford Law Review was making a study of the operation of the Government's security program. This letter stated that this study was being undertaken insofar as the Government security program requires that Government contractors and their employees be cleared when their work involves access to classified information. The letter stated that representatives from the Stanford Law School did call seeking material for the above article.

[ ] advised on August 15, 1955, that he had received a telephone call from a representative of the Stanford Law School requesting an immediate appointment for interviewing in connection with the above study. He stated that the call had come to him just prior to the annual two weeks vacation of the [ ] and that he had so informed the caller and suggested that an appointment be arranged for some two weeks subsequent. The caller indicated that this appointment could not be made and thereupon [ ] advised that he would have no comment to make concerning the above program.

[ ] did advise that he felt that [ ] Security Officer, [ ] California, would be able to furnish additional information concerning the above study being undertaken by Stanford University.

FRE/ms  
 (5)

cc SF 135-159

cc Boston (Info) EA 113

RECORDED - 73  
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20 SEP 22 1955

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SF 105-3560

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31/4  
[redacted] advised on August 19, 1955, that he had been approached by representatives of the Stanford Law School in connection with the above study of the Government's security program, which was being undertaken by the Stanford Law Review. In conversation with these representatives, he stated that he had learned that funds for the above study had been furnished by the Ford Fund for the Republic. He stated that the study was being undertaken by three graduate students, two of whom were from the Stanford Law School and one from the Harvard Law School. He identified these students as being [redacted] and [redacted] from the Stanford Law School, and [redacted] of the Harvard Law School. He stated it was his understanding that [redacted] was the project leader of this study when first undertaken by them during the middle of August, 1955, but was called into the Army and that [redacted] Stanford University, replaced [redacted] as project leader. [redacted] stated that in conversation with the above graduate students and later with [redacted] he had been given to understand that the above study was undertaken by Stanford University and the Law Review on the proviso that the results of the study would be published in the Stanford Law Review without prior editing by representatives of the Ford Fund for the Republic.

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[redacted] stated that it was his impression that the above students in their study were actually interested in the question of industrial security and that they were taking an objective approach in this study. He stated that questions directed to him were concerning the reaction of security officers in private industry toward the discovery of derogatory information concerning a prospective employee. In pursuance to this question, they also inquired whether an underground existed between the security officers of various industrial facilities whereby there would be a tendency among security officers to blackball employees should derogatory information develop. They also inquired if the security program and its application in the field of industrial security was in line with legal practice. [redacted] stated that they inquired of him as to the identity of other persons who might be of assistance in this matter. He stated that he was under the impression that [redacted] of [redacted] and [redacted], formerly with the [redacted] San Francisco, California, and presently Assistant Security Officer with [redacted] California, had been contacted in this regard.

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SF 105-3560  
ERE/ms

[ ] stated that he had been assured that a copy of the proposed article, which would appear in the Stanford Law Review, would be submitted to him prior to publication. He stated that he would make this prepublication article available to the San Francisco Office.

[ ] advised on August 19, 1955, that he had been approached by representatives of the Stanford Law Review in connection with a study being undertaken regarding the Government's security program. He stated that the graduate students conducting this study had advised him that Stanford Law School had various studies which could be undertaken, by graduate students for practical training and experience. They explained that before they made their selection, the choice of topics was limited and they, therefore, had decided upon the above study. [ ] stated that he gathered the impression from talking to these students that they considered this as an educational assignment and apparently were taking a factual approach to the subject. He stated that the questions directed to him concerned primarily the procedural steps undertaken by the Western Personnel Industrial Security Board and for approach to the problem of hearings, etc., concerning persons against whom derogatory information was developed. It was [ ]'s impression that there was no bias in the approach of these students to this question.

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Of interest is an article which appeared in the "San Francisco News," a daily newspaper, for August 22, 1955, on Page 3, Columns 7 and 8. This article is captioned, "Stanford Given Fund for Anti-Red Evidence Probe." The article states:

"Can we believe all the witnesses who testify against suspected Communists?

"To find the answer to that question, raised recently when anti-Communist witness Harvey Matusow repudiated his own testimony, Stanford University will begin a \$25,000 research project.

"The money was granted by the Fund for the Republic, a three-year-old organization with a 15-million-dollar reserve from the Ford Foundation."

SF 105-3560  
FRE/ms

With respect to the study, the article states that ROBERT MAYNARD HUTCHINS, former Chancellor of the University of Chicago and President of the Fund, proposed that the study at Stanford Law School "assemble the statements of the most important of these witnesses, then make an objective analysis and critical summary of them."

The indices of the San Francisco Office contained no record of [REDACTED]  
[REDACTED]

One copy of this letter has been designated for the information of the Boston Office, inasmuch as [REDACTED] was reportedly a graduate student of the Harvard Law School [REDACTED]  
[REDACTED]

b6  
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In the event [REDACTED] receives a copy of the study prior to publication in the Stanford Law Review, the same will be furnished to the Bureau.

The above individuals are reliable sources of this office and all inquiries were made in a most discreet manner in order that the Bureau's interest in this matter would not be revealed.

Mr. Nichols

September 29,  
1955

esa  
M. A. Jones

FULTON LEWIS, JR.  
RADIO BROADCAST

7:00 p.m., SEPTEMBER 29, 1955

In his radio broadcast on Station WWDC at 7:00 p.m., September 29, 1955, Mr. Lewis stated that the organization, For America, (headed by Dean Clarence Manion, formerly of Notre Dame, and General Robert Wood, the head of Sears Roebuck Company) has been refused tax-free status by the Bureau of Internal Revenue, on the grounds that For America engages in political activities. In this regard, For America has been active in promoting the Bricker Amendment and in the campaign to cut down on Government spending. According to Mr. Lewis, General Wood said he will appeal the ruling and pointed out that the Atlantic Union which opposes the Bricker Amendment has been granted tax exemption, and that the Amendment is not legislation anyway.

Mr. Lewis then stated that the Internal Revenue Bureau denies exemption to For America but permits the Fund For The Republic "to go ahead spending \$15,000,000 on straightaway propaganda in support of the ultra-liberal causes which the left wing Democrats will use as the foundation of their presidential campaign during the next thirteen months, a constant and concentrated campaign to popularize all the things which the ADA-controlled (Americans For Democratic Action) wing of the Democratic Party will campaign on from here on out. If that's not political activity, I'd like to know."

RECOMMENDATION: None. For information.

cc - Mr. Nichols

cc - Mr. Boardman

cc - Mr. Belmont

cc - Fund For Republic File (100-391697)

GWG:meb

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176 OCT 10 1955

ORIGINAL FILED IN

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

FROM : M. A. Jones

SUBJECT: FULTON LEWIS, JR., BROADCAST  
SEPTEMBER 30, 1955

DATE: September 30, 1955

Tolson \_\_\_\_\_  
Boardman \_\_\_\_\_  
Nichols \_\_\_\_\_  
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Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holloman \_\_\_\_\_  
Gandy \_\_\_\_\_

On this date Mr. Lewis stated that the Fund For The Republic, Incorporated. will open up a full--fledged Washington office next Monday at 1890 Jefferson Place, Northwest. He advised that in charge of this office will be Adam Yablonsky (phonetic) the 32-year-old lawyer whom the Fund hired for case studies and personnel security. He remarked that information for these case studies was gathered from the individuals and their attorneys, although he had no information as to what was in Government files, and admitted it. Mr. Lewis continued that the invasion of Washington progresses to the geographical stage, and that makes the philosophical invasion so much easier.

RECOMMENDATION: None. For information.

- cc - Mr. Boardman
- cc - Mr. Nichols
- cc - Mr. Belmont
- cc - Ford Foundation Research File
- cc - Fund For The Republic (100-391697)

JRH:meb  
(3)

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**CONFIDENTIAL**

Ticklers: Mr. Boardman

## Office Memorandum • UNITED STATES GOVERNMENT

TO : L. V. Boardman

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE  
DATE: September 29,  
1955

FROM : A. H. Belmont

SUBJECT: THEODORE DRAPER, was;  
CLINTON L. ROSSITER;  
FUND FOR THE REPUBLIC, INCORPORATED

Tolson	
Boardman	
Belmont	
Mohr	
Parsons	
Rosen	
Tamm	
Sizoo	
Winterrowd	
Tele. Room	
Holloman	
Gandy	

According NY teletype 9-27-55, [Jay Lovestone had learned that Earl Browder employed as consultant by Fund for the Republic, and hired by one Draper (Theodore Draper), who works under Clinton Rossiter of Cornell University for Fund.] The Director asked, "What do we know about Draper and Rossiter?"

There is attached 8-page detailed memo on Draper prepared from file review on him. Briefly, Theodore Draper is on the Fund's committee to make study of Communist influence in American life and is preparing "History of the Communist Party in the U.S. (1919-1945)." Draper born 9-11-12, Brooklyn, N.Y., and graduated Brooklyn College 1933. Served U.S. Army 1943-46. He was affiliated with Communist Party (CP) "Daily Worker" as Assistant Foreign Editor 1934-36; was Foreign Editor of Communist controlled "New Masses," 1936-1939; contributed to publication "China Today," 1939; and did rewrite work for Russian Tass News Agency after break with "New Masses." Has denied CP membership - described self as "fellow traveller" and CP sympathizer. Claims broke with Communism approximately 1948. On 3-24-55, informant claims Draper, assisting in Fund for Republic study, had extensive interviews with Earl Browder, former head CP, USA. Informant said Browder used as consultant, but would not give specific data on individuals, just theory.

Clinton L. Rossiter, a Professor of Government, Cornell University, Ithaca, N. Y., is directing Fund for Republic study on influence of Communism in American life. Rossiter not investigated by Bureau.

(cited by AG). Cornell University paper 2-17-55 indicates Rossiter did not desire to use ex-CP members but felt they would be helpful as sources for Fund study. No other pertinent data on Rossiter.

Enclosure  
100-391697**CONFIDENTIAL**

RECORDED - 43

INDEXED - 43

Mr. J. W. Brown, Room 7637

PMB:bob:skw  
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UNRECORDED COPY FILED IN 100-391697-198





September 9, 1955

THEODORE DRAPER, was.  
Theodore Dubinsky  
Teddy Dubinsky, Theodore Repard  
FUND FOR THE REPUBLIC

According to the annual report of the Fund for the Republic, Theodore Draper, New York City, is on the Fund's committee to make a Study of Communist Influence in American Life and is to prepare a "History of the Communist Party in the U.S. (1919-1945)."

No investigation of Draper has been conducted by the Bureau.

RESULTS OF G-2 INVESTIGATION:

In 1943 while he was a private in the United States Army he was investigated by G-2. G-2's investigation developed that he was affiliated with the Communist Party; had been a rewrite man and copy reader for the "Daily Worker" (east coast Communist newspaper); was once employed by "New Masses" (cited by Congressional Committee); had been connected with the Russian Tass News Agency; and had received Communist literature through the mail while in the Army (100-362227-1)

TESTIMONY BEFORE EXECUTIVE SESSION OF THE JENNER COMMITTEE, MAY 17, 1954:

Draper, who gave his address as 11 West 95th Street, New York City, testified that he had been a member of the National Student League (cited by a Congressional Committee) in college and that in 1934 he met Harry Gannes, Foreign Editor of the "Daily Worker" and became Gannes' assistant. Draper stated that he used the name Repard (Draper spelled backwards) while on the "Daily Worker." He left the "Daily Worker" in 1936 and went to "New Masses" as Foreign Editor until 1939. Draper stated that he was never a member of the Communist Party but until 1941 followed the Communist Party line and described himself as a "fellow traveler."

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100-391697 (orig)

100-362227 (Yellow)

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-26-89 BY SP8 BTJ/afp

100-391697-198  
ENCLOSURE

INTERVIEW WITH AGENTS OF NEW YORK OFFICE,  
AUGUST 30, 1954:

Background:

Draper stated that he was born Theodore Dubinsky on September 11, 1912, in Brooklyn, New York, and subsequently had his name changed to Draper on September 19, 1932. He attended one year at the City College of New York, subsequently changed to Brooklyn College, Brooklyn, New York, from which he was graduated in 1933 with a Bachelor of Science degree. He was inducted into the United States Army in September, 1943, served in the European Theater of Operations and was discharged during the Summer of 1946 as a Second Lieutenant.

Affiliations with the Communist Movement:

Young Peoples Socialist League (YPSL):

Draper stated that he became affiliated with the YPSL ~~(youth organization of the Young Workers Socialist League)~~ when he was approximately 15 years of age and because of the socialistic and progressive influence of his family. He stated that his family had been employed in the garment trades in New York City and their dominant political philosophy was Socialism. Both he and his family were readers of the periodical "Forward," the official organ of the YPSL. He continued that he was never an actual member of the YPSL but did attend meetings of the organization in Brooklyn and participated in political discussions centered around the socialistic viewpoint and continued in his affiliation for some time beyond his actual participation. Between his activity in the YPSL and the time he became affiliated with the Communist movement there was a gap in his life during which he was politically inactive.

Draper stated that during his first year at the City College of New York he became politically identified with the Communist movement rather than the Socialist movement. He stated that previous to that time he had been a passive

adherent to the Communist Party tenets but then became actively interested in the movement.

"Daily Worker":

As indicated above Draper testified he was affiliated with the "Daily Worker" as Assistant Foreign Editor from 1934 to 1936.

Draper stated that his activities on behalf of the "Daily Worker" were prompted not through Communist Party membership but rather through his feeling of accord with the Communist Party movement. He said he was not at any time a member of the Communist Party and that he never held any Communist Party position of any nature. He added that at no time had he attended meetings or paid dues to the Communist Party. He said that this was prompted almost entirely because of the fact that all of the "Daily Worker's" employment was the same as attending Communist Party meetings in that the dogmas and tenets of the Party were constantly stated and restated throughout the course of his employment. He said that his job was primarily to rewrite 75 per cent of the news appearing in "The New York Times" to slant/toward the Communist Party line for publication in the "Daily Worker."

"New Masses":

Draper stated that "New Masses" (of which he was Foreign Editor from 1936 to 1939) carried out approximately the same policy as the "Daily Worker," however, it was designed for the intellectuals prior to the time that intellectuals were accepted into the Communist Party. He stated he split with "New Masses" when they refused to print one of his articles and his split with the Party came in approximately 1948 (per testimony, the date was 1941). He said that the last of his illusions concerning the Party were dispelled upon the/seizure of power in Czechoslovakia.

Communist

"China Today":

Draper stated that while he was an employee of "New Masses" his first article was on China and was accepted

by the publication "China Today," (cited by the California Committee on Un-American Activities). Draper stated he was too busy to contribute regularly to this publication and he was not fully qualified to write on Asiatic problems since his concern, education, training, and observations were primarily with the continent of Europe. He said further that he knew of no connection between the Communist Party and "China Today."

It is noted that hearings before the Senate Judiciary Committee on the Institute of Pacific Relations reflect an exhibit, "China Today," February, 1939, issue, which lists Theodore Draper among the contributing editors. (100-64700-1210)

Tass News Agency:

Draper advised that he was employed by the Tass News Agency approximately 3 months after his break with "New Masses," during which time he did rewrite work taking information from "The New York Times" and slanting it for publication by Tass. He stated he was unhappy doing this because during his relationship with Tass he was ideologically "off base" with the Party and voluntarily left after 3 months. He added he was specifically instructed while at Tass not to attend any Communist Party meetings.

With regard to the above information as furnished by Draper, the October 11, 1931, edition of "New Masses" reflects that he was on the editorial staff. The Office of Naval Intelligence on August 31, 1942, furnished the New York Office information to the effect that Draper had been identified as a known member of the Communist Party as was his wife, Dorothy Sain (from whom he was divorced in 1954). "The New York Times," July 19, 1945, issue, carried an article entitled "Army Uses Reds House Group Told," which indicated that in private testimony before the House Military Affairs Subcommittee by one H. Ralph Berton, Theodore Draper, T/5, Headquarters 84th Infantry Division, was former Editor of "New Masses."

Miscellaneous:

Draper stated at the time of his interview he was currently engaged in compiling for publication a history of the Communist movement and that he believed the first volume which brings the movement up to 1929 would be available for publication in approximately 6 months. He said that because of this he is an avid reader of the "Daily Worker" and still receives great quantities of Communist Party literature. He added that he felt that he was <sup>now</sup> better versed on the Communist Party movement, but stated that his conversion for the Communist Party and his ability to speak cogently concerning it was of no avail because of the fact that no Communist Party member would approach him or associate with him.

It is noted that Bureau files reflect that as of September, 1954, Draper was the addressee of numerous nonmailable Soviet publications. (100-365088-1793)

Draper stated that he had recently given an extensive account of the appeal <sup>that</sup> the Communist Party movement had for him to one Dr. Armand, a professor at Princeton University, which was to be incorporated into a publication of the University to be entitled, "Appeals of Communism," and it was scheduled to be published during September, 1954. He added that he had been led to believe that his statements would be reproduced almost verbatim and he believed the interests of the FBI would be served by the acquisition of such a book.

Draper stated that he had done additional work on a contributing basis for the publication "Friday" (cited by Congressional Committee) and also the publication "New Republic" (dates not given).

During the interview Draper appeared cooperative and expressed a willingness to be further contacted after an approximate 6 months' period, which would enable him to complete his work on his history of the Communist Party.

He added that he currently was making his livelihood by doing research for Dr. Max Ascoli, Editor of "The Reporter," (cited by the California Committee on Un-American Activities).

Draper volunteered the information that his brother, Harold Draper, also known as Aaron Dubinsky, was then Editor of "Labor Action," the official organ of the Workers Party, which has been cited by the Attorney General. He also furnished information regarding subjects of Bureau security cases about whom he was questioned. (100-362227-8).

Further Attempts to Interview Draper:

On January 11, 1955, O. John Rogge telephonically contacted the New York Office and requested that the Agents who had previously interviewed his client, Theodore Draper, get in touch with him to establish an appointment for a future meeting. Rogge was subsequently telephonically contacted at which time he adopted an unfriendly attitude toward the Bureau, indicating that he had had numerous contacts with representatives of the FBI, and he felt should such a contact be granted in the case of Draper his client would be subjected to a long period of questioning. Rogge was advised that such was not the case and that Draper was being afforded an opportunity to provide a statement of his activities to representatives of the FBI. Rogge stated he would arrange for confirmation of a tentative interview which he set for January 20, 1955, in the New York Office. On January 12, 1955, Rogge telephonically contacted the New York Office and stated that after contact with Draper that his client felt that such an interview as contemplated by the Bureau would produce negative results. Rogge cancelled the appointment set for January 20, 1955, and expressed appreciation for the courtesies afforded by the representatives of the New York Office. (100-362227-11, 13)

OTHER INFORMATION IN BUREAU FILES:

On March 17, 1954, a representative of the Passport Office, State Department, furnished an index and photographs of approximately 600 persons who traveled to Russia in the approximate period of 1930 to 1938. Draper's name and photograph appeared in this index. (100-202838-176)



Hearings before the Senate Judiciary Committee on the Institute of Pacific Relations held on March 28, 1952, reflected a letter written by Frederick V. Field dated November 9, 1937, to Catherine Porter, Institute of Pacific Relations, in which he said regarding Draper, "...The fact that he is on the board of the 'New Masses' indicates that he is a Communist. Whether he is a member of the party or not I haven't the least idea and I don't care... I know Draper fairly well and have had a number of long talks with him. He is a little too aggressive and a little too dogmatic for many people's taste. On the other hand he strikes me as having a first class mind and as being seriously interested in leaving journalism and concentrating on a long term study of the Far East..."

The same hearings reflect a recommendation in support of an application for a Guggenheim Fellowship written for Theodore Draper, November 17, 1947, by Frederick V. Field, in which Field stated that "Draper seems to have a first rate training in Marxism which whether or not it provides all the answers for studying the American scene is unquestionably useful in analyzing the Far East." Also reflected is a letter from Field to Draper in which Field advised Draper that he had strongly endorsed Draper's candidacy for a Guggenheim Fellowship. (100-64700-1213)

On March 24, 1955, [redacted] of unknown reliability, <sup>info</sup>received information from Philip Jaffe, principal advisor to Earl Browder, former General Chairman of the Communist Party, U.S.A., advised that Theodore Draper had had extensive interviews with Earl Browder and that Browder had furnished him with much valuable information. [redacted] advised that the Fund for the Republic had contacted Browder to use his services as a consultant for the comprehensive history of the American Communist Party but that Browder was concerned about the compensation he was to receive as he felt he would be used for only a short time and that it would curtail the sale of books he was writing if he gave all of his information to others. On May 10, 1955, [redacted] reported that Browder had been cooperative with Draper to the extent that he would talk about Communist theory but

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b7C  
b7D

he would not give any specific information about the Communist Party movement or about individuals in it. Bella Dodd, admitted former Communist Party member, advised on April 6, 1955, that Browder had some sort of small assignment, lasting 3 months or so, with the Fund for the Republic. (40-3798-724, 728, 731)

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. H. Belmont

DATE: October 4, 1955

FROM : Mr. W. M. Mooney *WMM*SUBJECT: TELEPHONE CALL FROM ASAC J. D. JAMIESON  
ALBANY, 9-30-55

Tolson	_____
Boardman	_____
Nichols	_____
Belmont	_____
Harbo	_____
Mohr	_____
Parsons	_____
Rosen	_____
Tamm	_____
Sizoo	_____
Winterrowd	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

This call involved explanations from the Albany Office per Bureau request as to whether Professor Clinton Rossiter, Cornell University, had been interviewed by Bureau Agents concerning the Fund for the Republic and if so why and under what circumstances. Albany was also requested to advise that if he were not interviewed concerning the Fund, was he at anytime during the past 6 months interviewed for any reason whatsoever.

ASAC Jamieson advised that Rossiter had been interviewed on 2 occasions, one of which though not concerned with the Fund did contain conversation relating to it. In order to adequately cover and fully explore all the possibilities connected with this interview, it was necessary that the circumstances of the interview be set forth fully. In order to do this, it was necessary to spend approximately 25 minutes in telephone contact with Albany.

The writer is well aware in the interest of economy long distance calls must be kept to a minimum. However, in this case the seriousness of the matter required that the contacts with Rossiter by Agents of the Albany Office be fully explained. The writer regrets that the information could not have been obtained in a shorter period of time and will make every effort in the future to keep long distance telephone calls to a minimum.

WMM:ph *ph*

(5)

cc-Mr. Belmont  
Mr. Bland  
Mr. Mooney  
Mr. Nease

RECORDED - 97

INDEXED - 97

100-391697 199  
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DATE 7/26/89 BY 8835

SUBV. CONTROL

52 OCT 19 1955

PHOTO FILES

## Office Memorandum

UNITED STATES GOVERNMENT

DATE: October 3, 1955

Tolson \_\_\_\_\_  
 Boardman \_\_\_\_\_  
 Nichols \_\_\_\_\_  
 Belmont \_\_\_\_\_  
 Mohr \_\_\_\_\_  
 Parsons \_\_\_\_\_  
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 Sizoo \_\_\_\_\_  
 Winterrowd \_\_\_\_\_  
 Tele. Room \_\_\_\_\_  
 Holloman \_\_\_\_\_  
 Gandy \_\_\_\_\_

TO : Mr. Nichols

FROM : Mr. A. Jones

SUBJECT: FUND FOR THE REPUBLIC  
 FULTON LEWIS, JR.  
 BROADCAST  
 OCTOBER 3, 1955

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 7-26-89 BY SP-8 BTJ/OP

Fund For The Republic

Mr. Lewis tonight devoted only a small part of his broadcast to the Fund for the Republic. He mentioned that listed as an Assistant to the President of the Fund is one Halleck (ph.) Hoffman, son of Paul Hoffman, who, residing in Pasadena, became a prominent and controversial figure in the American Friends Service Committee (AFSC). This organization is connected with the Quaker sect, and Mr. Lewis indicated that he did not doubt the sincerity of some of its leaders. He notes, however, that on pages 17 and 24 of the Annual Report of the Fund it is indicated that on May 1, 1955, the Fund granted \$150,000 to the AFSC. In the words of Robert Hutchins, this grant was given because "Among those who suffer from unusual legal difficulties are those who conscientiously differ with prevalent practices and policies. The conscientious objector to military service does not fare very well in this country; nor does the person who conscientiously objects to taking an oath or to telling about the unpopular activities of his acquaintances. You may note that this conscientious objection business is moving into a pretty broad field. In order to assist conscientious non-conformists and to help establish their rights, the Fund has made a grant to the American Friends Service Committee which will use it to obtain legal representation in cases of conscience, to litigate dubious points in the law and to provide economic assistance to defense in certain instances." Mr. Lewis has indicated that he became interested in finding out just where this grant has gone, and he has been doing some "chasing down" of the money. Tomorrow night he will talk about where the money has gone, and he feels that the matter will prove most interesting.

## RECOMMENDATION:

None. For your information.

cc - Mr. Nichols

cc - Mr. Boardman

cc - Mr. Belmont

cc - Fund for the Republic File (100-391697) 12 OCT 7 1955

cc - American Friends Service Committee File

MLL:bh

(8)

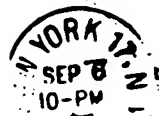
CRIME-REC

2 enclosures to Bureau  
NY file 62-11509



ENCLOSURE

100-391677-201



THE SIDE OF CARD IS FOR ADDRESS



Hon. John F. X. McGohey  
Judge, U. S. District Court for  
The Southern District of New York  
New York, N. Y.

BA

You recently received from us a reprint from the Congressional Record entitled "A Report on the Security Problem." This was not, as the title page indicated, a report by a Subcommittee of the Senate Committee on Government Operations but a statement by Senator Hubert H. Humphrey inserted into the Record by him in support of Senate Joint Resolution 21 to establish a Commission on Government Security. Senator Humphrey was the author of the Resolution and Chairman of the Subcommittee which held hearings on the Resolution and reported it to the Senate.





THIS SIDE OF CARD IS FOR ADDRESS

Hon. John F. X. McGohey  
Judge, U. S. District Court for  
The Southern District of New York  
New York, N. Y.

8A

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# REPORT ON THE SECURITY PROBLEM

## CONCLUSION

The picture of the over-all security mechanism developed in the course of the subcommittee's consideration of Senate Joint Resolution 21 is a disturbing one. Most of the mechanism has been constructed only within the past decade, and in the same period of time the security problem has become almost a national obsession. In response to the very real peril to our national security stemming from the nature of the Communist conspiracy, which stands ready to take advantage of the slightest weakness in our security armor, we have acted almost unconsciously, and certainly without considered judgment, in trying to reinforce and strengthen this armor. We have constructed a security mechanism almost at random without regard to duplication and overlapping, without regard to dollar cost, without any effort really to appraise the nature of the peril and the appropriate defense against it, and without any real effort to achieve a logical, consistent pattern of effective security. As pointed out above, the fact that the security mechanism has evolved in this manner, does not furnish cause for criticism of any person, persons, groups, or organizations. We were attempting to cope with a new and unique peril, against the pressures of time, and the resulting security structure probably represented the best which could be accomplished under the circumstances.

There can be no doubt that the security mechanism viewed as a whole (including the espionage laws and other criminal statutes relating to security protection, the laws and regulations relating to classification, control, and protection of national defense secrets, and the programs for security investigation and clearance of personnel generally) are

less effective and efficient than they can and should be; cost far more than they should for actual security achieved; and afford far less protection for individual rights than is possible without jeopardy to security.

One of the most disturbing aspects of this situation is that all representatives of the Government defend the status quo even though they cannot justify its duplication, loopholes, anomalies, inadequacies, discrepancies, inconsistencies, and costs. Indeed, most of the Government witnesses appeared to learn of many of these problems for the first time when they were questioned about them before the subcommittee. There is little indication of any genuine awareness of or concern about these problems. It is doubtful, on the basis of testimony received by the subcommittee, that any single official of the Government is today capable of even describing, let alone understanding, the present conglomeration of security laws, regulations, and procedures found throughout the Government.

It is imperative that the United States have a stringent, realistic, effective, and fair security system. But we cannot lose sight of the fact that any security program, if it gets out of control, carries with it a threat to democratic, intellectual, and humanitarian principles. While there is no indication that our present security mechanism has gotten out of control, there is also no indication that it is under effective and rational control.

The time has come to take stock, to face the problem of security with the maturity with which our democratic Government and our people have faced grave issues of national policy in the past. Let us assess the peril which faces us and decide upon a coordinated, cohesive, rational security system which will protect our national secrets and our way of life.

Security is not a partisan issue. The present deficiencies have not been caused or nurtured exclusively by either party, by either this or past administrations, or by either Congress or the executive branch. Rather, they have been thrust upon us by the threat of Soviet imperialism and subversion at a time when we were, as a Nation, not fully prepared to meet the threat with complete wisdom and reason. It is not too late, however, to remedy our past errors.

There is much work to be done before the security problem can be brought under rational control. It requires extensive and objective study and analysis. A commission form of inquiry, patterned after the Commission on Organization of the Executive Branch of the Government is the ideal means for coming to grips with the problem, since it would enable representation by the executive branch, the Congress, and eminent public citizens. It would also enable that calm, dispassionate consideration and recommendation, removed from the area of political controversy, which will command public respect and confidence, and provide needed reassurance to the American public in this era of security obsession. This would implement, and be wholly consistent with, the recommendation of the Task Force on Personnel and Civil Service of the Commission on Organization of the Executive Branch of the Government that an official inquiry and appraisal of the personnel security problem be undertaken without delay by a panel of distinguished citizens whose judgment cannot be questioned. The Commission which would be established under Senate Joint Resolution 21 would, however, have a broader function than the study recommended by the task force since it would study all phases of the security mechanism and not only the personnel security program.



## REPORT ON THE SECURITY PROBLEM

during the past 2 years comes from its principal architect, the Attorney General.

On March 4, 1955, the President approved certain recommendations submitted by the Attorney General to improve the security program, which recommendations were based upon a study of the actual operating practices under the program. Among the recommendations of the Attorney General were the following:

1. The statement of charges "should be drawn as specifically as possible, consistent with the requirements of protecting the national security" in consultation with the chief legal officer of the agency.

2. "Meticulous care should be exercised in the matter of suspension of employees against whom derogatory information has been received."

3. A legal officer should be present at hearings to advise the Board on procedural matters and to advise the employee, if he is not represented by counsel, as to his rights.

4. Each agency head should periodically and personally review the list of persons made available by his agency for service on security hearing boards to assure that they are "persons possessing the highest degree of integrity, ability, and good judgment."

5. "Every effort should be made to produce witnesses at security board hearings to testify in behalf of the Government so that such witnesses may be confronted and cross-examined by the employee, so long as the production of such witnesses would not jeopardize the national security."

6. All violations of law as disclosed in the investigations or proceedings under the program should be reported immediately to the Division of Internal Security, Department of Justice."

Most of these principles reflect fundamental elements of any well-conceived security program, and it would be shocking to find that any security program in the United States has been operating for 18 months without full acceptance of and implementation of at least these elemental safeguards. Indeed, these principles are in some instances expressly stated in the Department of Justice's sample minimum standard regulations, while in other instances they are implicit in these regulations. If operation of the security program during the first year and a half actually indicated a necessity for issuance of these new recommendations, there is indeed cause for great concern about operation of the security program, and it is difficult to conceive how any responsible Government official could say that the program has gone exceedingly well.

### THE INDUSTRIAL SECURITY PROGRAM

In addition to the security program for Government employment, there are other programs for the security investigation and clearance of individuals employed in private industry who require access to classified material. These programs affect even more individuals than are affected by the Government employees' security program.

The Department of Defense program, which affects some 2 million employees of private industry, does not rest upon express or firm statutory foundation, but primarily upon the Department's contracting authority. Defense Department contractors are required to agree in their contracts to establish and maintain a system of security regulations. The system includes provision that only appropriately cleared personnel will have access to classified matter, and the Department of Defense has established requirements for security clearance for access to confidential, secret, and top-secret material. A top-secret clearance is predicated upon a background investigation, and a secret clearance upon a national agency check. Confidential clearance is granted for United States citizens by the contractor,

rather than by the Department of Defense, on the basis of a determination that the individual's employment records are in order as to United States citizenship and that there is no information known to the contractor which indicates that the employee's access to confidential information is not clearly consistent with the interests of the national security. The Department of Defense does not, however, establish more specific standards or criteria for use by the contractors in carrying out this responsibility. If, however, the individual is an alien, a background investigation is required, and if access to confidential restricted data is involved, clearance can be granted only by the Department of Defense on the basis of a national agency check. Where a contractor finds, before granting a confidential clearance, that there is derogatory information raising a question as to whether the employee's access is clearly consistent with the interests of national security, the contractor apparently has the option of simply not employing the individual in a position involving access or of referring the case to the Department of Defense for a determination as to eligibility for clearance. The ultimate standard for determination of eligibility for clearance is the same for all three categories of clearance, and is identical to the standard for determining security eligibility for Government employment under Executive Order 10450, i. e., that it is clearly consistent with the interests of the national security. Moreover, the same criteria for making the determination as are employed under Executive Order 10450 are also employed in the industrial security program.

Where doubt arises as to eligibility for clearance, the employee is entitled to a hearing before a regional hearing board and to review by a central review board if his case presents novel questions or if the hearing board arrives at a divided opinion. The entire program is to be coordinated and supervised, under recently adopted procedures, by a director, who in turn is responsible to the Secretary of Defense and the Secretaries of the Army, Navy, and Air Force.

Although security clearance determinations by the Department of Defense are explicitly stated by the Department to affect only the individual's right to access to classified information, and not his right to employment by the contractor, it is apparent that many employers will regard denial of security clearance as warranting discharge of the employee, just as the representatives of Douglas Aircraft Co. testified it would do. This means that the industrial security program has a definite impact, directly or indirectly, upon the individual's opportunity to earn a livelihood. It is, therefore, of the utmost importance that employees receive the maximum opportunity, consistent with the operation of an effective security program, to defend themselves and to establish their eligibility for clearance. We find, however, that employees subject to the industrial security programs have been afforded no greater procedural protection, aside from the centralized review in some cases, than is afforded Government employees under Executive Order No. 10450. It would appear, therefore, that consideration should be given to broadening the privileges available to these individuals at least to the extent suggested for consideration with respect to Government employees.

The Atomic Energy Commission has statutory responsibility and authority for security clearance of employees of its contractors and licensees, and all others, who are to have access to restricted data. AEC criteria and procedures for determining eligibility for security clearance draw no distinction between such employees and AEC employees, and all cases are considered under the same AEC regulations.

Although the Department of Defense has apparently achieved a highly coordinated and unified industrial security program, there is no indication that there is any coordination in this respect between the AEC and Department of Defense programs. In cases in which the AEC and the Department of Defense both have a security interest in a particular plant, both would exercise independent security control and supervision. There is, moreover, no indication that there is any Governmentwide attempt at coordination of industrial security activities. The Assistant Attorney General testified that the Internal Security Division of the Department of Justice does not deal with these activities and does not have jurisdiction to review or consider these programs. It is difficult to understand why this is so, in view of the similarities between the Government employees' security programs and the industrial security programs, and the fact that individual rights may be even more substantially affected by the latter programs than by the former.

Another industrial security program of a sort is conducted by the United States Coast Guard in screening merchant seamen and waterfront workers under the port security program. Approximately 370,000 persons have to date received port security cards reflecting their security clearance.

It should be borne in mind that the millions of our citizens who have been, are and will be subject to the industrial security program are not in any sense Government employees. They have not sought positions of public trust and in most instances have not even sought positions in industry involving access to classified information. They are ordinary working people in the 48 States who just happen to be employed by firms doing classified work, and who require security clearance in order that they be of use to their private employer. Through no initiative of their own, save the desire to hold a job or obtain advancement, they may find themselves propelled into the security vortex. They are required to execute a personnel security questionnaire. They, and their relatives and friends, may be subjected to searching security investigation resulting in the formation of dossiers which may follow them for the rest of their lives, even if some information in the dossiers is wholly unreliable or false. Their eligibility for clearance, and their very employment, may be threatened by vague allegations about themselves, or their relatives and friends, which they may have an opportunity to refute and effectively dissipate only if the industrial security programs are operated in a manner calculated to permit this. They are subject to precisely the same difficulties in defending their reputations and livelihoods as the Government employee. They face the same difficulties as Government employees in learning the charges against them, the identities of their accusers, and in obtaining the privilege of confronting their accusers. Their cases are adjudicated under much the same standards and procedures as prevail in the Government employees' security program, are subject to the same diversities of administration and interpretation.

There is clearly a necessity for an industrial security program, and it is probably also necessary that such a program operate with many of the compromises with basic American tradition which characterize the present Government employees' security program. But a program of this magnitude which operates upon the employment, livelihood, and reputation of millions of our private citizens must be carefully designed, controlled, and administered. It should, if the Government is to act in a responsible manner toward its citizenry, be established as a matter of considered national policy, and not as a matter of haphazard growth.

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security grounds under Executive Order 10450 in 1954 out of a total of approximately 2,075 applicant investigations. This would indicate that the State Department would deny clearance to approximately 1.45 percent of all individuals investigated, as compared with AEC's figure of only 1.1 percent which even raise the question of security risk. It would appear likely, on the basis of these figures, that radically different security standards are being employed from agency to agency.

Variations in the security programs are of considerable importance from the standpoint of the individuals subject to the programs. An individual employed by a relatively non-sensitive agency, such as the Department of Agriculture, which apparently has very stringent standards of security risk (as may be judged from the facts of the Ladejinsky case), may find himself fired as a security risk with all the serious deprivations involved, although if he had been employed in more sensitive agencies, such as the State Department or the Foreign Operations Administration, a question of security eligibility might never have been raised. Similarly, an employee whose security status is adjudicated under less adequate or enlightened procedures than would be available in another agency, may for this reason, be severely prejudicated. This does not appear to be the "fair, impartial, and equitable treatment" through "mutually consistent and no less than minimum standards and procedures" ordered by the President in Executive Order 10450.

Testimony before the subcommittee revealed a disturbing pattern of lack of awareness of and interest in these problems. None of the Government witnesses indicated an awareness or interest in the manner in which agencies other than his own were operating under Executive Order 10450. Indeed, some of them did not appear knowledgeable concerning aspects of even their own programs. It was extremely difficult for the subcommittee to elicit useful information as to the manner in which the security program under Executive Order 10450 is being coordinated and controlled to assure "fair, impartial, and equitable treatment" through "mutually consistent and no less than minimum standards and procedures."

Assistant Attorney General Tompkins stressed the need for coordination in stating:

"All of these efforts in the internal security field must be carefully coordinated. In order to achieve maximum coordination without interfering with the responsibility and authority of any department or agency, interdepartmental liaison has been formalized."

The Interdepartmental Committee on Internal Security (ICIS) is responsible, according to Mr. Tompkins' testimony, for planning and coordination in the field of internal security, other than intelligence matters. But he testified further that ICIS exercises no supervision over security screening of Government employees and does not review the various screening methods and activities.

When asked whether there is any organization in the Government which attempts to ascertain whether the various departments follow a uniform security system, Mr. Tompkins replied that the Civil Service Commission is responsible for reporting to the National Security Council on divergent security procedures, so that this could be brought to the attention of the President for remedial action. He indicated that this is the only method for coordinating the various agencies in the security field. In January 1955, however, the Department of Justice was asked to review Executive Order 10450 and the operation of the security program. Mr. Tompkins distinguished between the Department's role and that of the

Civil Service Commission, by pointing out that the latter merely "audits" the various agencies, while the former looks for weaknesses in the security structure. Although Mr. Tompkins did not assert that the Department of Justice has any special responsibility for coordinating the security programs of the various agencies, and seemed to avoid assuming such responsibility, he did indicate that he has met personally with security officers and legal counsels of various agencies to "gain more uniformity and to improve the program as much as humanly possible." The representatives of the Department of Defense expressed the view that the Internal Security Division of the Department of Justice "heads up the administration's effort in that regard," and that the Department of Justice and the Civil Service Commission are both responsible for review and coordination. It is doubtful, however, on the basis of his testimony, that Mr. Tompkins would agree that the Department of Justice has a primary responsibility for coordination and achieving a greater degree of uniformity among the various agencies. In any event, representatives of the Department of Justice appeared, in their testimony, to lack knowledge of many of the basic aspects of implementation of the security programs of the various agencies which would be essential to the role of coordination. Mr. Tompkins was not, for example, immediately aware of the scope of Civil Service Commission investigations under Executive Order 10450; he was not aware of the fact that some agencies regard Executive Order 10450 as applicable to cases involving employees occupying non-sensitive positions concerning whom there is derogatory information about character and habits; he was not aware of "what the Civil Service Commission is doing about recommendations or administration of Executive Order 10450," and he was not aware of which agencies conduct their own personnel security investigations rather than use the investigative facilities of the Civil Service Commission.

Mr. Philip Young, Chairman of the Civil Service Commission disavowed that his agency had any "direct coordinating authority" or any "major responsibility in terms of coordination." The role of the Civil Service Commission is confirmed, according to Mr. Young, to inspecting and appraising the application of the program, but he did indicate that discrepancies in the way various agency heads were conducting their programs might be called to their attention, although the Civil Service Commission lacks authority actually to effect changes.

The role of the Civil Service Commission in this respect stems from section 14 of Executive Order 10450, which directs the Commission to make a continuing study of the manner in which the order is being implemented to determine whether there are—

1. Deficiencies in the various security programs which are inconsistent with the interests of, or directly or indirectly weaken, the national security; and
2. Tendencies to deny employees fair, impartial, and equitable treatment, or rights under the Constitution, laws of the United States, or under Executive Order 10450.

Information as to such deficiencies or tendencies is to be brought to the attention of the agency head concerned, and is to be reported by the Commission, with recommendations for corrective action, to the National Security Council.

It is obvious, regardless of whether or not it was the intention of the Executive order that the Civil Service Commission be responsible for coordination, that in fact the Civil Service Commission has not played this role. It has not yet completed even one full cycle of auditing implementation of the security program by the various departments and agencies. Moreover, the Commission apparently is construing its responsibilities

under section 14 as narrowly as possible, as is evidenced by its position that it is of no concern to the Civil Service Commission whether personnel security investigators of the agencies of the Government which conduct their own personnel investigations meet the exceptionally fine standards established by the Commission for its own investigators. The Commission apparently would not regard less than adequate investigative staffs as creating any deficiency or tendency within the meaning of section 14 of the Executive order.

The Civil Service Commission has, however, furnished information about the coordinating role of the Department of Justice, which could not be elicited from the Department itself. Mr. Young testified that there is a great deal of active coordination between all of these agencies and departments of Government on this program. He testified that the Department of Justice interprets Executive Order 10450 for the various agencies and departments and reviews their security regulations to ascertain whether agency regulations meet prescribed minimum standards, and is constantly thinking and analyzing the whole basic elements in this program in terms of subject matter and content.

Mr. Young described the machinery for coordination as follows:

"This question of coordination of this program between departments and agencies is a very interesting one. Mr. Chairman. The basic coordination, of course, arises from the fact that you are starting out and working from a basic law, a basic Executive order, and a basic set of sample regulations. Each department and agency then issues its own set of internal regulations pursuant to Executive Order 10450 in line with the sample regulations proposed by the Department of Justice.

"Variations from the sample regulations issued by the Department of Justice are approved by the Department of Justice; so at least there in terms of the basic documents you do have coordination, a coordinated starting point, let us say, at the base of this program.

"Then as you go along on this program and it goes into operation, the Civil Service Commission under section 14 is making these appraisal inspections of the departments and agencies, and if we find that a particular agency has a variation from either its own regulations or the sample regulations, approved by the Department of Justice, so that where we do find things of that sort, you get an additional amount of coordination.

"Mr. Brownell, in his recent letter that you referred to, Mr. Chairman, pointed out the fact that he was holding continuing conferences with security officers of agencies and departments, and in addition, you have the security officer of the Civil Service Commission as well as the Department of Justice, who is in constant touch with these departments and agencies most of the time."

It is obvious that coordination is the top secret of the security program. No one will accept responsibility for it, and everyone seeks to pass off the responsibility to someone else. It is difficult to understand how there can be effective coordination when responsible officials of the Government cannot agree on who is responsible for coordination. It is obvious also that only an absence of effective coordination of and supervision over the present security program could produce a conclusion by a responsible Government official, such as Mr. Young, that the security program has gone exceedingly well over the last 2 years. Quite aside from the pattern of confusion and lack of consistency revealed in the hearings before the subcommittee, and quite aside from the doubts concerning administration of the program voiced almost universally by responsible private groups, the proof of the inadequacies in the program



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hearings for probationary employees runs counter to the whole "theory and system of having a probationary year for Federal employees . . . to provide an opportunity to see whether or not that person is a qualified, worthwhile Federal employee." He also expressed the view that "good personnel management" dictate against such hearings. But the fact of the matter is that at least the Department of the Air Force and the Atomic Energy Commission, among the various departments and agencies, do afford probationary employees the opportunity for a security hearing, and there is no indication of any adverse consequences.

Similarly, there have been no convincing reasons offered for not extending the privilege of security hearings to applicants who would otherwise be barred from Federal employment for security reasons. The only real argument against such hearings was offered by the representative of the Department of State who testified that if applicant procedures were adopted, one of the dangers would be immediately all the Communists would come in to apply for a Federal job just to find out whether the Federal Government knew about them or not. But this concern appears to have been articulated without knowledge of the Atomic Energy Commission's satisfactory experience in affording hearings to applicants during the past several years. Indeed, the State Department representatives were unaware, prior to the subcommittee's hearings, that any agency afforded security hearings to applicants and probationary employees.

### LACK OF UNIFORMITY, CONSISTENCY, AND COORDINATION

The Government programs for investigation and clearance of personnel are characterized by considerable confusion and few evidences of uniformity, consistency, or even coordination.

Even within those agencies whose security programs are based in whole upon Executive Order 10450, there are substantial variations. The general structure of the security program under Executive Order 10450 is that each department or agency head is to establish his own security program within the broad minimum standards established under Executive Order 10450 and the Department of Justice's sample regulations. The only effort at coordination appears to be the review of each agency's regulations by the Department of Justice to assure that the minimum standards are met. But the minimum standards are extremely vague and general, and permit wide variations in substantive and procedural aspects of security proceedings. As an example of these variations, we may consider the regulations of the Army, Navy, and Air Force, three departments which are subject to some unifying pressures, and which are probably as similar to each other in make up, personnel, and special problems as any three agencies of the Government could be.

The principal representative of the Department of Defense in the hearing before the subcommittee, its General Counsel, insisted that the employee security programs of the three subdepartments were substantially uniform. The respective regulations, however, do not bear out this contention. A number of significant variations appeared:

(a) Hearings: The Army Department and Navy Department regulations contemplate hearings only for permanent or indefinite employees who have survived their probationary periods. The Department of the Air Force regulations provide hearings as a matter of right only to such employees, but contemplate that hearings for other individuals subject to the security program will be afforded at the discretion of the Central Review Board, which, it is stated, has the policy "to grant such a hearing in all such cases except where the national security would otherwise be immediately affected."

Pursuant to this policy, the Air Force grants security hearings to probationary employees as a matter of course.

(b) Confrontation: As discussed above, the Department of the Army regulations require, as a matter of standard procedure, that all nonconfidential informants who have been personally identified in the investigative report, and who have not expressly indicated an unwillingness to appear, be invited to testify, or to submit a signed statement, or to be identified to the employee. The Air Force regulations are almost as broad, but require that such invitations be extended "whenever practicable," and not as a matter of "standard procedure." The Navy Department regulations provide merely that the "Security Hearing Board, in its discretion, may invite any person to appear at the hearing and testify."

(c) Report of Hearing Board: As discussed above, the Navy Department regulations, which have been amended to remedy this deficiency since the hearings before the subcommittee, provided that a full statement of the Hearing Board's reasoning ought to be included in every case in which the Board reaches a conclusion favorable to the individual, but not when the conclusion is adverse to the individual. The Air Force regulations require an analysis of the information and a detailed statement of the reasoning upon which each finding is based, regardless of the outcome. The Department of the Army regulations are silent on this point, but state that complete instructions on preparation of the Board's findings and the memorandum of reasons "will be provided in other media," presumably the Civil Service Commission's Handbook, which, as discussed above, contains a provision similar to that found in the Navy Department's regulations prior to their amendment.

(d) Criteria for determining security risk: The Department of the Army's regulations contain no statements reflecting that the criteria of security risk are to be applied in terms of the specific position occupied by the employee. Nor do the regulations contain any standards for evaluating the derogatory information, weighed against favorable information, to establish the degree of security risk. In sharp contrast, the Navy Department regulations specify that the Board will consider "the nature of the position occupied by the employee and in the light of the derogatory information" and that "a fair decision will be reached only after all the facts, favorable and unfavorable, have been analyzed impartially and have been given due weight in their proper perspective." The Air Force regulations go even further in specifying that derogatory information of the various types included in the criteria are all "relevant to the question of whether because of his . . . employment in the position involved [the individual] might, either intentionally or inadvertently, disclose to unauthorized persons classified security information . . . or otherwise act against the security interests of the United States."

The General Counsel of the Department of Defense suggested that such discrepancies are merely variations in language without substantive significance, but this is not a satisfactory answer. Government officials are to be commended for extending desirable procedural advantages to their employees over and above those required by their regulations, but in the last analysis the individual must look to the published regulations for his procedural safeguards, and there is no reason why the procedures cannot be wholly uniform, selecting the best provisions of each.

It must be recognized that such variations in procedures of the agencies of the Department of Defense, where there is some unification are found in greatly magnified form among the other agencies' security programs, where the only pressure for consist-

ency comes from the necessity for meeting the minimum standards of the sample regulations of the Department of Justice.

Additional evidence of lack of consistency and coordination may be found in the testimony of the Department of Justice before the subcommittee.

Assistant Attorney General Tompkins testified unequivocally that Executive Order 10450 does not apply to employees occupying nonsensitive positions concerning whom derogatory information about character and habits has been developed. He stated, for example:

"A drunk in a nonsensitive position would not be subject to 10450.

"The gentleman in the nonsensitive position whose habits are not good . . . would not come within the scope of 10450."

But despite this interpretation by a high official of the Department responsible for interpreting Executive Order 10450 for the various departments and agencies, and for assuring that their security regulations meet certain minimum standards, it is apparent that other agencies and departments have been dismissing employees in nonsensitive positions under Executive Order 10450 on the basis of derogatory information as to character and habits. Thus, representatives of the Department of Defense testified that a drunk occupying a nonsensitive position could be dismissed under Executive Order 10450, and statistics for the Department of the Army (the only agency of the Department of Defense for which these figures are available) reveal that of 182 Army employees occupying nonsensitive positions who were dismissed under Executive Order 10450, 143 were dismissed on the basis of derogatory information as to character and habits. Similarly, according to figures furnished by the Civil Service Commission for the period May 28, 1953, to September 30, 1954; the Department of Agriculture reported that 101 of 102 employees terminated because of security questions were in nonsensitive positions, but only 32 cases involved information relating to subversion; the Department of Commerce reported that 32 of the 77 employees terminated were in nonsensitive positions, but only 12 cases involved information relating to subversion; and the General Services Administration reported that 105 of the 154 employees terminated were in nonsensitive positions, but only 20 cases involved information relating to subversion.

Another example of lack of common understanding of security concepts under Executive Order 10450 may be found in the inability of the State Department witness before the subcommittee to state categorically that other agencies of the Government interpret Executive Order 10450, as he does, as permitting employment of a security risk when necessary to get a job done.

This lack of common understanding as to what security is all about under Executive Order 10450 is reflected in available statistics on the operation of Executive Order 10450.

It is apparent that there is no pattern of statistical correlation. The most complete statistics available are those furnished by the Atomic Energy Commission which, since 1946, has had approximately 504,000 full background investigations conducted for it. AEC, which presumably has a rather stringent security program, indicated that of these investigations, only 5,532, or about 1.1 percent, raised any question as to eligibility for AEC security clearance, and of this number 1,622 were finally granted clearance. Of the remaining 3,910, 3,416 were not processed to conclusion for one reason or another, and only 494, or just under 0.1 percent, were actually denied clearance. These figures may be compared with figures furnished by the State Department which indicate that 30 applicants were rejected for employment on

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careful and precise definition of "confidential sources of information."

2. Opportunity to answer the charges: The present minimum standard procedures as found in the sample regulations of the Department of Justice appear, in the main, to provide adequate opportunity for the individual to make his defense if all agencies observe their spirit. In at least one area, however, study might be given to the possibility of improvement. This area concerns the problem of "confrontation."

There can be no question as to the necessity for protecting the FBI's methods and devices for infiltrating the Communist conspiracy. If protecting such sources of information represents a compromise with traditional American concepts of justice and fair play, it is a price which we should be willing to pay, in times of national peril, for an effective security program. But it appears that information from such sources is involved in only a very small proportion of security cases. Mr. Ernest Angell, chairman of the board of directors of the American Civil Liberties Union, who served for several years as Chairman of the Loyalty Review Board for the Second District, testified before the subcommittee on the basis of his experience with hundreds of FBI investigative reports under the loyalty program:

"I could say with confidence that the proportion of those [cases] in which there was any genuine derogatory information against the employee that came from the personal knowledge of the FBI agent or the genuine undercover agent, as distinguished from the great mass public of the so-called casual informant, was very, very low and small. There was no question about that."

The real question of confrontation is whether such casual informants—landlords, neighbors, classmates, business associates, and the like—who furnish derogatory information, and who are usually identified in the investigative reports, should be identified to the individual and subject to confrontation. Discussion of this problem heretofore has been confused by injecting into it the question of the actual FBI intelligence apparatus, and it is now necessary to consider the problem of confrontation strictly in terms of these casual informants. At the present time the security procedures place a premium on and encourage irresponsible and malicious gossip and information. It may be that broadening the area of confrontation in this manner may dry up sources of derogatory information to a degree which would hamper the security program. Even if this were a consequence, there would still be a basic-policy question requiring balancing of principles of fairness, justice, and responsibility against the requirements of security. It appears to be most desirable that a fresh, objective examination of this problem be undertaken by an independent body.

There is considerable reason to believe that present practices with respect to confrontation are less than adequate and less than would be feasible without detriment to the security program.

The Department of Justice sample regulations provide merely that hearing boards may, in their discretion, invite any person to appear at the hearing and testify, and that the hearing board shall take into consideration the employee's handicap by reason of nondisclosure to him of confidential information or lack of opportunity to cross-examine confidential informants. They provide also that the board shall consider the refusal of an invited informant to appear, as well as the fact that the Government cannot pay witnesses' travel expenses. In addition, the President recently approved the Attorney General's recommendation that every effort should be made to produce witnesses at security board hearings to testify in behalf of the Government so that such witnesses may be confronted and cross-examined by the em-

ployee, so long as the production of such witnesses would not jeopardize the national security.

The regulations of the Department of the Army go farther than any others in providing a right of confrontation. Paragraph 37 of Special Regulations 620-220-1 provides:

"Government witnesses: All boards are instructed to invite, as a matter of standard procedure, each nonconfidential witness who has been personally identified, who has given information adverse to the employee and who has not indicated expressly an unwillingness to appear. Geographic distances will be no bar to extending invitations except that invitations need not be issued to witnesses in noncontiguous overseas areas. Such witness will be asked to appear at the hearing to testify in the employee's presence and be subjected to cross-examination. They will also be asked whether they wish to appear privately before the board, whether they would submit a signed statement, permit their names to be disclosed as the source of the information given, and whether their statement previously given may be read to the employee with or without the witness' name being disclosed. The invitation will state that the board cannot pay witnesses fees or reimbursement for travel or other expenses. A suggested invitation to qualified witnesses is contained in appendix II. Whenever a witness signifies a desire to appear before the board in private, the executive secretary will arrange such a meeting, preferably before the hearing. The witness will be heard under oath and a verbatim confidential transcript of his testimony will be made and added to the complete file. A copy of that transcript will not be supplied the employee unless the witness agrees. If the witness agrees to release the transcript, it will be regarded unclassified and the witness' agreement should be included in the questions and answers in the transcript, usually at the end. Adverse witnesses who are employees of the Army Establishment should be urged to attend and commanding officers should be requested to permit such employees to attend. Necessary time to attend a hearing would be recorded as official duty and no charge made to leave."

Although it may be questioned whether even this broad language goes as far as is possible and desirable in affording the right of confrontation, there can be no question that it goes far beyond most agency regulations which provide only that every effort shall be made to produce informants. If the privilege of confrontation on this broad scale is feasible for employees of the Department of the Army without adverse effect upon national security, there is no reason why all departments and agencies should not adopt regulations going at least this far.

A related question is that of subpoena. At the present time agencies and departments, with the exception of possibly a few with specific statutory authority, do not have authority to subpoena individuals to testify in security proceedings. If it is concluded upon further study that the right of confrontation should be broadened, consideration might also be given to whether the power to subpoena informants should be granted. Some Government witnesses before the subcommittee, when asked whether the subpoena power should be provided, responded in the negative. They did not say, however, that providing such subpoena authority would be detrimental to the national security. Their replies were predicated upon the conceptual notion that security proceedings are not adversary in nature and are administrative rather than judicial. The tendency to discuss security problems in terms of these conceptual labels, rather than in terms of actual impact and effect upon individual rights and Government security, should be arrested. Sufficient it to say that some security cases which have received wide public attention have had many trap-

pings of an adversary proceeding, and, indeed, Government witnesses were subpoenaed by the Atomic Energy Commission in the Oppenheimer case.

3. Objective evaluation and determination: There are significant indications that the security program under Executive Order 10450 may, in some respects, lack objective balance, and weight the scale too heavily on the side of finding security risk. Even though the test of eligibility for Government employment under Executive Order 10450—that it be determined that employing the individual is "clearly consistent with the interests of national security"—may be an ideal standard, refinement of the standard so as to reflect the necessity for careful evaluation of degree of security risk in the light of all the individual's attributes would add considerable balance and objectivity.

The most striking evidence of this lack of balance is to be found in the manner in which security hearing boards are instructed to evaluate the evidence and prepare their findings and recommendations for the agency head. The Civil Service Commission's handbook entitled "Guides for Members of Security Hearing Boards Under Executive Order 10450" provides that a memorandum of reasons is to be prepared by the Security Hearing Board in support of its conclusion and decision in each case, for incorporation into the file and use by the head of the agency making the final decision. The handbook states:

"The amount of detail necessary will depend upon the facts and complexity of the case. In some instances it will be necessary or desirable to explain the board's reasoning and conclusion concerning each charge. This probably will be done in every case in which the board reaches a decision favorable to the individual."

The import of this is obvious. A recommendation in favor of the individual must be justified and supported, but a recommendation adverse to the individual need not be. The agency head may fire an employee as a security risk without being convinced, but he must be convinced before he finds in the employee's favor. This language, if it has any meaning at all, necessarily must have some intimidating effect upon members of hearing boards, who, regardless of their integrity, objectivity, and good faith, are well aware of the fate which may befall Government employees who are "soft" on communism and subversion.

This unbalanced language has seeped through to the security regulations of some departments and agencies. The Navy Department, for example, adopted this language in toto. When this language was brought to the attention of the General Counsel of the Department of Defense during his testimony before the subcommittee, he expressed some concern, and the result has been amendment of the Navy Department's regulations so as to require an explanation of the Board's reasoning and conclusions concerning each charge, whether the decision is favorable or unfavorable to the individual.

4. Hearings for applicants and probationary employees: Another problem worthy of study is whether a greater degree of procedural protection should be afforded probationary employees and applicants concerning whom security doubt arises as to eligibility for employment. No convincing reasons have been advanced as to why probationary employees should not have the privilege of a hearing before a security hearing board prior to dismissal on security grounds. In testimony before the subcommittee there were, of course, the conceptualistic arguments that security hearings for such employees are not authorized by statute and that there is no right to a Government job. The Chairman of the Civil Service Commission indicated that granting



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vide much less protection than those afforded under the security program.

## HOW MUCH "RIGHTS" SHOULD THE INDIVIDUAL HAVE UNDER THE SECURITY PROGRAM?

The question of the degree of procedural rights which should be afforded to individuals subject to the security program is a complex one. There can be no doubt that the Government should seek to establish the highest level of standards for the Federal service, and that undesirable, unsuitable, unreliable, and untrustworthy employees should be weeded out. It cannot be disputed that the Government should have effective procedures for making inquiry concerning the background, competence, experience, and character of its employees and applicants for employment, and that it should be able, as in the case of private industry, to refuse to employ applicants who do not meet its standards, and to discharge, without cumbersome procedures, employees who are undesirable.

There is, however, an important distinction between a sound personnel administration program and the present security program. The security program mobilizes the entire investigative machinery of the United States Government to probe into every facet of the individual's background. The investigation is not, like the ordinary personnel inquiry, designed to elicit an objective report on the individual's experience, training, personality, and other characteristics pertinent to a decision as to his suitability for employment. It is designed, rather, to use the words of section 8 (a) of Executive Order 10450, "to elicit information as to whether the employment or retention in employment in the Federal service of the person being investigated is clearly consistent with the interests of the national security." Section 8 (a) then goes on to enumerate the types of information to be developed in the investigation, and the entire enumeration consists of categories of derogatory information, with no reference at all to the desirability of obtaining a balanced, objective picture of the individual's suitability, including favorable information about him. It should also be recognized that the security investigation, unlike the personnel inquiry, is designed to turn up information about the individual's relatives, and friends, and his and their political beliefs, activities, and associations, some of which does not necessarily have a direct bearing upon whether or not he will be a good, reliable, and trustworthy employee. There is, moreover, no effort to confine the investigation to sources of information which are presumed to be sound and free of personal bias. Rather, the investigators go to anyone who can tell anything about the individual, and many of the informants, even if they are free of malice or prejudice toward the individual being investigated, have highly questionable competence to interpret his political or moral characteristics.

There is a further important distinction. In the case of a true personnel inquiry, the results are interpreted and evaluated, and a determination made, by individuals who are free to weigh and decide objectively in terms of whether or not the individual is capable of doing a job in a reliable and trustworthy manner. In the case of the security program, however, the individuals who evaluate are expected to have the rather parochial function of protecting against possible risk, and the security criteria and procedures place little emphasis upon evaluation of the degree of risk arising from derogatory information, as balanced against the individual's meritorious attributes, in the context of the particular Government position involved.

Still another distinction lies in the impact of the security program upon the individual who is fired as a security risk, or who is denied employment as a consequence of the existence of derogatory information. Once the Government conducts a personnel

security investigation which results in the production of significant derogatory information, a situation is created which may have the most profound consequences upon the life of the individual concerned. The impact of the security program is not limited, as has been suggested, to a determination as to whether or not an employee may be a security risk in a particular position in the Government. As a practical matter, an individual who has been determined to be a security risk in a particular position is, by this determination, virtually ineligible for further Government employment. It is true that section 7 of the Executive Order 10450 provides a basis for reemployment of the individual in the same agency upon a determination by the head of the agency that this is clearly consistent with the interests of national security. Indeed, although the Chairman of the Civil Service Commission conceded that an employee found to be a security risk "may be a first-rate Federal employee in some other position," he was not able to inform the subcommittee when he testified as to whether there had been any such reinstatements. Section 7 also makes an employee, who has been suspended or terminated as a security risk, ineligible for employment in any other Government agency, unless the head of such other agency determines such employment is clearly consistent with the interests of the national security and the Civil Service Commission gives its consent. Of 54 cases of this kind which have been brought before the Civil Service Commission to date, only 9 have been found eligible for reemployment in another agency by the Commission. Information furnished to the subcommittee by Mr. Young since conclusion of the hearings reflects that for the period October 1, 1953, to September 30, 1954, only 5 employees terminated under the security program have been reemployed by Government agencies. The most that can be said is that a man found to be a security risk has a remote possibility of reinstatement in a Government job, but even if he is reinstated, his opportunity for advancement would be severely circumscribed by the earlier security determination.

But the impact of the program does not end there. The Chairman of the Civil Service Commission conceded that a security file on an individual who has been denied clearance will follow him like a shadow throughout the Government, and into private industry if he seeks employment with firms doing Government work involving security considerations. Indeed, Mr. Young indicated that section 7 was written into Executive Order 10450 for this very purpose. The consequence is that a large area of private employment, embracing upward of 2 million positions in our present private economy, involving access to classified matters would be barred to this individual.

Moreover, it is apparent that many American firms would regard an individual who has been found to be a security risk as wholly ineligible for employment by them in any position whatever, even in positions with no security significance whatever. The representative of Douglas Aircraft Co. who testified before the subcommittee stated that his firm would not hire, and would forthwith fire, any individual who had been found to be ineligible for "Secret" and "Top Secret" clearance by the Department of Defense. Additional information received by the subcommittee indicates that similar practices are followed by many industrial firms, even firms engaged to only a minor extent in defense work.

The same situation prevails with respect to probationary employees and applicants who are fired or refused employment on security grounds without a final adjudication as to whether or not they are security risks. Once significant derogatory information is developed in a security investigation, and is not resolved by a favorable security clear-

ance determination, it will operate as an impediment to employment of the individual elsewhere in the Government and in wide areas of the private economy. Agencies are required to report to the Civil Service Commission on form 73 whether or not an applicant is denied employment as a result of security determination made on the basis of a full field investigation. The ready availability of the national agency check serves to make the derogatory information known, and it is unlikely that an employing officer would knowingly select for employment an applicant concerning whom there is an ostensible unresolved security question over an applicant concerning whom there is no apparent cause for doubt. In a day in which even private employers inquire as to whether or not an applicant for employment has ever been cleared, has ever been denied clearance, or has ever executed a personnel security questionnaire for security clearance, it is readily apparent that unevaluated and unresolved derogatory information developed in the course of a prior security investigation may effectively bar an individual from getting even a toehold in future employment sufficient to permit a security hearing which might resolve the derogatory implications. Indeed, information submitted to the subcommittee indicates that even a long delay in processing a security clearance application to a final conclusion—without any indication that derogatory information has been developed—may make potential employers skeptical of the wisdom of employing an applicant for even those positions in the private economy which are in no way of security significance.

It is apparent that the security program causes substantial deprivations to many thousands of Government employees subject to it, and that these deprivations are not limited merely to loss of a particular Government job. It is callously unrealistic to define the procedural safeguards available to Government employees and applicants for Government employment in terms of the concept that "there is no right to a Government job," or by assuming that no "stigma" attaches to denial of clearance to an applicant or to discharge of a probationary employee. There is little indication that representatives of the Government who are responsible for implementing Executive Order 10450 have an adequate awareness of the impact of the program upon the individual subject to it, or that they have considered what the Government's responsibilities to its citizenry should be in this area. There is an urgent necessity for thorough reexamination of the impact of the security program, and for consideration, as a matter of national policy, of the degree of procedural safeguards which can and should be afforded individuals subject to this impact. It would be well to consider, specifically, the feasibility of affording to all individuals subject to the security program the maximum opportunity to resolve questions of security risk consistent with effective operation of the security program.

A number of specific problems appear to warrant special attention. These are the major problems revealed in the subcommittee's consideration of the personnel security programs, but they are only illustrative of other problems which may exist.

1. Notice to the individual: The sample regulations of the Department of Justice provide that a written statement of charges shall be furnished, and that the statement shall be as "specific and detailed as security considerations, including the need for protection of confidential sources of information, permit." This standard appears to be satisfactory, but there is reason to believe it is not being consistently applied by the various agencies and that some agencies are not complying with the spirit of the standard in formulating the statement of charges. There appears also to be a need for more

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gram and the ordinary processes of selection, retention, and dismissal of Government employees in accordance with sound principles of personnel management. Thus, although a person may be a security risk in the particular Government position which he occupies or seeks because of derogatory information developed in the course of a security investigation, the very same derogatory information may indicate that even aside from security considerations, he is not suitable for employment in that position. For example, a drug addict, a chronic alcoholic, or a person with definite criminal tendencies would clearly be an undesirable employee in a position of public trust.

According to figures released by the Civil Service Commission covering operation of the personnel security program under Executive Order 10450 from May 28, 1953, to September 30, 1954, a total of 3,002 employees were fired because of security questions falling within the purview of the Executive order, and an additional 5,006 employees resigned before determination was completed in cases where the file "was known to contain unfavorable information" under the security program. The Civil Service Commission's use of the word "known" in this context is unfortunate and misleading, since it connotes that these employees resigned with knowledge that there was derogatory information concerning them without availing themselves of the opportunity of seeking a final judicious determination. Under questioning before the subcommittee, the Chairman of the Civil Service Commission stated with respect to these 5,006 employees that the information was "known" to the Government, and not necessarily to the employees who resigned.

These figures warrant further analysis to place the security program in proper perspective. The fact that 3,002 employees are listed as "fired" does not mean that each had been determined to be a security risk. The bulk of these were, according to the Chairman of the Civil Service Commission, dismissed as unsuitable employees under civil service regulations and procedures, rather than under Executive Order 10450. Nor does this mean that these employees were dismissed after some kind of adjudication process in which they were apprised of the derogatory information and given a formal hearing with opportunity to clear the record. Those employees dismissed under civil service regulations had only such opportunity to defend themselves as is given in the discretion of their agency heads, and the procedures in such cases vary widely from agency to agency and fall far short of the procedures established for security hearings. In addition, a large proportion of the total number of security dismissals listed are undoubtedly of probationary employees who are not given an opportunity for hearing prior to dismissal on security grounds. Statistics furnished by the Department of Defense reflect that, although the Civil Service Commission's figures of employees fired for security reasons through September 30, 1954, for the Army, Navy, and Air Force were 302, 638, and 371, respectively, only 71, 27, and 16 of these cases, respectively, involved dismissals effected subsequent to a security hearing.

Similarly, it cannot be assumed that the 5,006 Government employees who are listed as "resigned" all possessed attributes which would have required denial of clearance or employment had their cases been prosecuted to conclusion. It would appear that this total would include all Government employees who resigned, whatever the reason and whether or not they were even aware of the existence of derogatory information, whose files contained any derogatory information, of whatever quantity or significance, falling within the Executive order. Thus,

the 2,096 cases in which information about "subversion" was present would undoubtedly include many cases in which only the rawest, unevaluated derogatory information was found, indicating some remote connection with left-wing activities or relatives with some possible interest in suspect groups recently or in the remote past.

It is apparent, therefore, that the total figure of 8,008 security separations (3,002 fired plus 5,006 resigned) should not be interpreted as indicating that this number of security risks have been weeded out of the Government service. The actual number of security risks is apparently very much smaller than this figure; the precise number cannot be ascertained, principally because the Civil Service Commission's reporting system is evidently not set up to produce this statistic.

## THE PROCEDURAL RIGHTS OF INDIVIDUALS SUBJECT TO THE GOVERNMENT EMPLOYEES SECURITY PROGRAM

The fundamental assumption underlying the security program, insofar as concerns procedural rights of individuals subject to the program, is that no individual has any "right" to a Government job and that, therefore, such procedural protection as has been afforded under Executive Order 10450 should be gratefully received and not criticized as inadequate. As the Assistant Attorney General stated before the subcommittee:

"When we recall that for over 120 years we permitted our Government to fire without notice and without specifying reasons, it must, it seems to me, be conceded that the present program grants to the employee many substantial and protective rights—in fact, the most that have ever been afforded to a Federal employee."

Three groups of individuals are affected by the security programs: (1) permanent and indefinite employees who have survived their probationary period; probationary employees; and applicants for Government employment. The degree of procedural protection available under the security program varies, depending upon the particular category in which the individual may be.

1. Applicants for Government employment: Applicants for Government employment are, of course, subject to security investigation under Executive Order 10450. Applicants are, however, not afforded any procedural rights of any kind, except in the case of the Atomic Energy Commission, to explain or clarify derogatory information which may be developed in the course of the investigation. This means, as a practical matter, that applicants concerning whom significant derogatory information is developed will be denied Government employment almost automatically, even though the derogatory information might be wholly dissipated or its significance greatly minimized if the applicant were afforded an opportunity to learn the nature of the derogatory information and to have some kind of objective adjudication of the charges. In some instances the department or agency may discuss the derogatory information informally with the applicant, but this procedure does not give the applicant a reasonable opportunity to clear the record and his name.

It appears that the Atomic Energy Commission alone has adopted formalized procedures for handling security cases involving applicants. Under those procedures, all applicants for AEC employment are entitled to a formal hearing to resolve doubt as to eligibility for clearance and employment resulting from derogatory information uncovered in the course of the security investigation. They are, moreover, entitled to precisely the same procedural privileges as incumbent employees, since the very same procedures apply equally in both cases. The regulations of the Department of the Air Force specifying the types of situations in which the privilege of a security hearing

will be afforded are sufficiently broad to embrace cases of applicants, but representatives of the Air Force testified that there is no general practice of affording hearings to applicants. They did indicate, however, that in exceptional cases involving uniquely qualified applicants who are regarded as essential for certain projects a hearing may be afforded "to clear up the acceptability of this man." The General Counsel of the Department of Defense testified that a similar practice prevails in the Army and Navy Departments, but the regulations of those Departments do not expressly provide for situations of this kind.

2. Probationary employees: Government employees who have not completed their 1-year probationary period are generally not entitled to a security hearing to resolve derogatory information which may be developed in the course of security investigations, although, under Public Law 733 and the Department of Justice sample regulations, they are entitled to written notice as to the reasons for suspension, as specific and detailed as security considerations permit, and to submit a written defense to these charges. Even this privilege, however, applies only if the individual is suspended under the security program, and would not apply if the individual is terminated as unsuitable under the ordinary Civil Service regulations. Some agencies apparently attempt to handle as many cases as possible under Civil Service regulations rather than as security cases. In the case of the Air Force, for example, it was indicated that a case is processed under the security regulations only if it is not possible to remove the employee under Civil Service regulations. This procedure may have considerable merit in that it spares the employee the burden of a security-risk label, but at the same time it denies him an opportunity to clear his name and establish his eligibility for Government employment, since probationary employees may be dismissed at the discretion of the agency head without any notice or hearing.

Again, the Atomic Energy Commission's procedures constitute an exception to the general rule, since AEC grants precisely the same privileges to probationary employees as in the cases of employees who have survived the probationary period. It should be pointed out, however, that this is probably required by section 161 (d) of the Atomic Energy Act which requires that the Commission "make adequate provisions for administrative review of any determination to dismiss any employee." Representatives of the Department of the Air Force testified that that Department also affords hearings to probationary employees "in order that we might insure proper safeguards."

3. Incumbent employees who have survived the probationary period: Permanent and indefinite employees who have survived their probationary period are entitled under the Executive Order 10450 security program, to a formal adjudication of the question of security risk before they are terminated as security risks under the provisions of the Executive order. The procedures to which they are entitled must meet the minimum standards of the Department of Justice's sample regulations. If, however, the derogatory information brought to light by a security investigation required under Executive Order 10450 raises a question of suitability for employment, as well as of security, the individual may be deprived of his procedural privileges under Executive Order 10450 if the agency head decides to dismiss him under civil-service regulations rather than under the security order. In such an event, the procedures available to the individual for clearing the record vary greatly from agency to agency, with no apparent minimum standards, and such procedural safeguards as are available would generally pro-



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in support of legislation (such as was eventually adopted in the Atomic Energy Act of 1954) modifying the security clearance requirements of the Atomic Energy Act, stated:

"We are prepared to cite specific instances where the present law, because of its inflexibility, has slowed down important atomic projects of the Army, Navy, and Air Force," and that if the amendments were adopted:

"Much valuable time will be saved in design, procurement, and development work in the weapons program with the result that weapons will enter stockpile at an earlier date."

The Atomic Energy Act of 1954 apparently rectified this situation by permitting AEC to authorize personnel engaged in programs of the Department of Defense to have access to restricted data on the basis of their regular Department of Defense clearances, without necessity for special AEC clearance. It is noteworthy, however, that representatives of the Department of Defense testified before the Joint Committee on Atomic Energy during consideration of the 1954 act that even with these amendments, the "dual system of security" imposes "a formidable administrative burden."

But even though the Atomic Energy Act of 1954 resolves the problem of interchangeability of AEC and Department of Defense clearance, which, concededly, was a particularly serious problem because of the number of individuals involved and the necessity for close working arrangements between AEC and the Department of Defense it leaves unresolved the similar problem with respect to other Government agencies performing vital national-defense work such as the Department of State, the Central Intelligence Agency, the Coast Guard, the National Advisory Committee for Aeronautics, and the National Bureau of Standards, which remain subject to the special clearance requirement for access to restricted data.

A case in point is that of the Federal Civil Defense Administration. The Federal Civil Defense Administrator in testifying before a subcommittee of the Senate Armed Services Committee referred to the fact that AEC security requirements made it "extremely difficult" for his agency to take effective steps to prepare to meet the "fallout" problem. He pointed out that because of the classification of the information, it could not be discussed, presumably from the standpoint of evacuation, with the Bureau of Public Roads, and that even within his own agency, the scarcity of Q-cleared personnel made it difficult to handle the situation. Subsequently, a representative of the Federal Civil Defense Administration appeared before the subcommittee considering Senate Joint Resolution 21, and testified that the shortage of Q-cleared personnel was attributable to loss of personnel in the administration's move to Battle Creek rather than to any lack of cooperation by AEC. He conceded, however, that the requirement for Q-clearance was a fairly substantial burden in terms of delay and inconvenience.

The Federal Civil Defense Administrator, in subsequent testimony on this matter before the Joint Committee on Atomic Energy on March 24, 1955, reiterated that the difficulty in question had been caused primarily by the move to Battle Creek. He pointed out, however, that under the Federal Civil Defense Act of 1950, primary responsibility for civil defense rests with the States and localities, and that the AEC security requirements are an impediment to getting vital information into the hands of governors and mayors. He also pointed out that the Administration was precluded, because of security restrictions, from discussing important matters with other Federal agencies playing a vital role in civil defense, such as the Department of Agriculture, the

Department of Health, Education, and Welfare, and the Housing and Home Finance Agency.

The overall pattern of this testimony indicates clearly that security restrictions have encumbered and delayed our civil defense effort. It is not unlikely that similar encumbrances and delays are to be found in other areas of our national defense effort. At the very least, it is apparent that the special security requirements in the atomic energy field are quite cumbersome administratively, and quite costly to the taxpayers. As the Federal Civil Defense Administrator pointed out in his testimony before the Joint Committee on Atomic Energy:

"If the regular security system were also applicable to access to restricted data this would expedite our work."

The Atomic Energy Commission stated in 1952, in connection with the proposed amendments to the Atomic Energy Act which would permit it to honor Department of Defense clearances:

"We see no reason why the AEC should have to determine whether military personnel who are already cleared by their own agency, are good security risks to get restricted data for use in connection with work assigned them by the military. And, in our opinion, it is wrong from the point of view of the overall defense and security of the United States to raise unrealistic barriers to vital cooperation by all the members of our team in the field of atomic weapons."

There is no readily apparent reason why the same should not be true with respect to all other components of the Government. It is strange, indeed, that the Federal Civil Defense Administration, with a total employment roll of about 600, all of whom are cleared for access to "secret" defense information, has only 109 employees eligible for access to "secret" restricted data, necessary to accomplish the vital mission of that agency. It may be that the requirement for special AEC clearance is justifiable despite the costs, burdens, delays, and impediments to national security, but no such justification has been advanced. The time has come to consider this matter rationally and objectively, and to reach some definite conclusions of national policy concerning this situation.

Another problem in the civil defense field was raised by Dr. George V. LeRoy of the University of Chicago who had had extensive experience in connection with the effects of atomic weapons upon living organisms. Dr. LeRoy testified that there is a considerable amount of classified information relating to treatment of the effects of atomic weapons which is not available to American physicians, and that American physicians are not, for this reason, as adequately equipped as they might be to treat the casualties of an atomic attack. He related that a Japanese doctor who recently visited the United States was able to discuss with him information (about the cases of the Japanese fishermen injured by fallout as a result of last year's Pacific tests) which is presently regarded as classified by our Government. Dr. LeRoy pointed out also that the medical chief of the Illinois civil defense group, who is responsible for planning the medical care and warning system for the State, was unable to obtain from him, because of security restrictions, adequate information about the fallout problem.

The Chairman of the Atomic Energy Commission, however, has characterized Dr. LeRoy's testimony in this respect as "irresponsible" and the Director of AEC's Division of Biology and Medicine has stated that no medical information relating to this problem is presently classified. This conflict between responsible and knowledgeable individuals emphasizes the difficulties presently faced in attempting to evaluate and reach sound conclusions about the operation and

impact of the security mechanism. It is another indication of the need for a high-level, systematic, objective study of the security mechanism to assure that it is operating soundly and effectively, and to reinforce public confidence.

## SECURITY REQUIREMENTS FOR GOVERNMENT EMPLOYMENT

Much of the subcommittee's attention was devoted to consideration of the security requirements for Government employment, and the manner in which the program has been and is being administered. It is this aspect of the Government's security mechanism which has aroused most public interest and discussion, and it has also evoked considerable comment on the part of the public, the press, and responsible Government officials.

Although a number of agencies had previously developed programs of their own for security investigation and clearance of their employees, particularly for access to classified information, and Congress had established security requirements for employment in a few agencies on a fairly random basis, the present security program as applied throughout the Government and to all Federal employees is based primarily upon Executive Order 10450 promulgated by President Eisenhower on April 27, 1953. The purpose and philosophy of the security program was succinctly stated by the Assistant Attorney General in his testimony before the subcommittee, as follows:

"Thus the basic objective of the present employee security program is to make sure that there is no employee on the Federal payroll, nor any applicant appointed, who can, because of his position endanger the national security. President Eisenhower insists that all Federal employees be persons of integrity, high moral character, and unswerving loyalty to the United States. At the same time, the President has cautioned all heads of the executive establishments that in the American tradition all employees should receive 'fair, impartial, and equitable treatment at the hands of Government.' This is the spirit which prevails in the administration of the present personnel security program."

Executive Order 10450 requires security investigation of every employee of the executive branch of the Government, and establishes a list of categories of attributes which, if found to exist in the case of a person investigated, would at least raise some question as to his suitability for employment on security grounds. The Executive order does not in itself prescribe procedures, even in general terms, for carrying out the President's direction, as stated in the preamble to the Executive order, that:

"All persons should receive fair, impartial and equitable treatment at the hands of the Government . . . [and] that all persons seeking the privilege of employment or privileged to be employed in the departments and agencies of the Government be adjudged by mutually consistent and no less than minimum standards and procedures."

Rather, the President, simultaneously with his promulgation of Executive Order 10450, advised the heads of all departments and agencies that the Attorney General had, at his direction, prepared "sample regulations" designed to establish "minimum standards" for implementation of the security program. Each department and agency is, therefore, responsible for promulgation of its own procedures for handling, considering, and determining security cases, subject, according to testimony before the committee, to review of these procedures by the Attorney General to assure that they meet the minimum standards of the "sample regulations."

It must be borne in mind that there is a close relationship between the security pro-

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able to justify the existence of the three separate espionage laws, or to explain why a uniform espionage law of universal applicability to all national-defense secrets would not be preferable. Indeed, there is reason to believe that this situation has not even been, at least until recently, a matter of concern to the executive branch. Assistant Attorney General Tompkins, who testified before the subcommittee, expressed the view that the fact that improper disclosure of restricted data is punishable under the Atomic Energy Act does not preclude the Government from prosecuting the same activity under the espionage laws "when appropriate." When questioned as to the justification for three separate espionage laws applicable to what is essentially the same offense, and as to the desirability of consolidating these statutes into a single statute of uniform applicability, he replied that the matter is now being studied, but that a "thorough research job would have to be done" before he could speak with accuracy. It would seem that such study is long overdue, particularly in the light of the testimony of the general counsel of the Atomic Energy Commission that there was doubt as to the applicability of the Espionage Act to offenses involving restricted data until enactment of the Atomic Energy Act of 1954.

## MULTIPLE STANDARDS FOR SECURITY INVESTIGATION AND CLEARANCE

Although it is customary to speak of the Government apparatus for security investigation and clearance of personnel as though it were a single, unified program, the fact of the matter is that there is considerable diversity in even the basic standards for investigation and clearance.

Consider, first of all, the standards for determination of eligibility for clearance. The basic requirement is that of Executive Order 10450 which requires a determination that employment of the individual is "clearly consistent with the interests of the national security." But there are additional statutory standards for clearance applicable with respect to certain groups of personnel. For example:

1. The Atomic Energy Act requires a determination that permitting the individual to have access to restricted data will not endanger the common defense and security, and this standard must be employed even if the AEC employee will not in fact have access to restricted data in his particular position.

2. The National Science Foundation Act requires a determination, before any employee may be permitted to have access to information or property with respect to which security restrictions have been established, that permitting such access will not endanger the common defense and security.

3. The Federal Civil Defense Act provides that no employee may have access to information or property with respect to which security restrictions have been established until it has been determined that there is no information in the files of investigative agencies indicating that the employee is of "questionable loyalty or reliability for security purposes," and, if such information does appear, until further investigation has been conducted and a report thereon is evaluated in writing by the Administrator.

4. No employee may be assigned to duties under the Mutual Security Act or the Act for International Development until a certification has been made by—

(a) the Foreign Operations Administrator or the Secretary of State, if the individual was investigated by the Civil Service Commission, that based upon consideration of the report of investigation he believes the individual "is loyal to the United States, its Constitution, and form of government, and is not now and has never been a member of any organization advocating contrary views"; or

(b) the Secretary of Defense, if the individual was investigated by a military intelligence agency, that the individual is "loyal to the United States."

In view of section 10 of Executive Order 10450, which provides that nothing in the order "shall be construed as eliminating or modifying in any way the requirement for any investigation or any determination as to security which may be required by law," it is not clear what the relationship is between the various statutory standards applicable to particular agencies and the standard provided under Executive Order 10450. It is noteworthy that the Atomic Energy Commission, in the case of Dr. J. Robert Oppenheimer, proceeded under both standards simultaneously.

Similar multiplicity exists with respect to responsibility for investigations. There is a statutory requirement in the case of many agencies that security investigations be conducted in the first instance by the Civil Service Commission, with referral to the investigation to the FBI if derogatory information with loyalty implications is developed. But some of these agencies are subject to a further statutory requirement that they designate those positions within their agency which are "of a high degree of importance or sensitivity," and the FBI, rather than the Civil Service Commission, has primary responsibility for conducting the security investigations in the cases of employees occupying such positions. Other departments and agencies are free, under Executive Order 10450, to use their own investigative staffs or to make arrangements for Civil Service Commission investigations. Numerous agencies, such as the State Department, the Agriculture Department, the Treasury Department, the Post Office Department, the military departments, and the CIA, utilize their own investigative forces for personnel security investigations.

Agencies which are required by law to base their clearance determinations upon investigation by a specific investigative agency such as the Civil Service Commission or the FBI are apparently precluded from basing their clearance determination upon any other form of investigation. Thus, an individual who has been subject to a full background investigation by, for example, investigative staffs of the State Department or Treasury Department, may not be cleared by the Atomic Energy Commission, the National Science Foundation, or other agencies with a statutory requirement for Civil Service Commission or FBI investigations, without having an additional background investigation conducted by such investigative agency. Presumably, if all investigative agencies are of equal competence, as has been asserted, such additional investigations are meaningless and a waste of money from the standpoint of effective security. It would be interesting to know what percentage of the hundreds of millions of dollars spent for personnel security investigations are attributable to such duplicate investigations.

## IMPEDIMENTS TO FLOW OF INFORMATION

One of the most important problems brought to light in consideration of the operation of the security mechanism is that of impediments to adequate dissemination of information. It must be accepted as axiomatic that stringent controls be exercised over the dissemination of our national secrets to avoid their transmission or leakage to our enemies. At the same time, it appears to be equally axiomatic that limitations on the dissemination of such information, and compartmentalization of such information, deprive the Nation of cross-fertilization of ideas and restrict the degree of scientific and technological achievement. There are undoubtedly many competent individuals who do not have security clearance and who have not been engaged in defense activities who could make important con-

tributions to our national defense effort if they had ready access to data now classified. Excessive concern with secrecy could well retard our own achievement in building an effective national defense complex, and scientific groups have consistently advanced the view that the balance presently prevailing between secrecy and accomplishment is unduly weighted in favor of the former.

There is no indication that our Government has ever systematically and comprehensively come to grips with the question of the price being paid for security in terms of the loss to achievement. It is true that there are mandates in the Atomic Energy Act and in Executive Order 10501 that information should be declassified as promptly as possible, but there is considerable question whether these mandates suffice. This appears to be an area which requires objective consideration in the national interest.

A much more serious and immediate difficulty is apparent, however. There is considerable reason to believe that the compartmentalization of security within the Government is adversely affecting the operations of the Government itself, particularly in our national defense effort. Much of this difficulty seems to flow from the statutory security autonomy of the Atomic Energy Commission, and from the special security requirements of the Atomic Energy Act.

Commissioner Thomas E. Murray of the Atomic Energy Commission expressed concern in an address delivered in December 1953 that top officials of the United States Government were inadequately versed in atomic energy matters, and he advocated a policy of "candor" with our Government officials. One of the impediments to understanding of atomic energy within the Government has undoubtedly been the special requirements for security clearance. The Atomic Energy Act specifically requires special clearance by AEC, based upon investigation by the Civil Service Commission or the FBI, before any person may be permitted to have access to restricted data. The only exception to this requirement, found in section 145 (b) of the 1954 act, is that the Commission itself or the General Manager may waive this requirement upon a determination that such action is clearly consistent with the national interest. This exception has been characterized by AEC as clarifying its authority to "permit Cabinet officers, for example, to receive restricted data" without the necessity for regular Q-clearance based upon investigation.

The practical effect of the special requirement for clearance is that individuals employed in other Government agencies with appropriate security clearances granted by such agencies must have an additional clearance, perhaps based upon an additional full background investigation, before they will be permitted to have access to restricted data essential in the performance of their work in such other agencies. An additional consequence would appear to be that such agencies must also take appropriate physical security measures to assure that other individuals employed in the agency who do not have Q-clearance will not be able to come into contact with restricted data. The illogical nature of this requirement is demonstrated by the fact that an employee of another agency with top secret clearance who has daily access to the most critical top secret matters affecting his agency, must have special AEC clearance for even momentary access to restricted data of only marginal security significance bearing the lowest security classification.

It is apparent that this situation prior to the enactment of the Atomic Energy Act of 1954, created substantial difficulties with respect to programs of the Department of Defense. Representatives of the Department of Defense, in testifying before the Joint Committee on Atomic Energy in 1952,



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have worked well in their limited sphere, they are not extended to other, or all, areas of security interest. If this were done on a Government-wide basis, we could then have a single security program and security standard of universal applicability. There has been no indication that this step has been seriously considered. Rather, it appears to be the general assumption that atomic energy secrets are a breed of secrets separate and apart from, and more sensitive than, other national defense secrets, thereby warranting special statutory protection.

This assumption of ultra-sensitivity in the atomic energy field cannot be sustained. Executive Order 10501 provides for the classification of national defense secrets as "Top Secret," "Secret," and "Confidential," and establishes exclusive definitions for each of these categories. Atomic energy restricted data is also classified as "Top Secret," "Secret," and "Confidential," and AEC had adopted definitions for these categories equivalent to those specified in Executive Order 10501. Thus, "Confidential" restricted data is, by definition, equivalent sensitivity to "Confidential" defense information; "Secret" restricted data is, by definition, of equivalent sensitivity to "Secret" defense information, and "Top Secret" restricted data is, by definition, of equivalent sensitivity to "Top Secret" defense information. But under the Atomic Energy Act, all restricted data is subject to all of the special security provisions, regardless of whether it is "Confidential," "Secret," or "Top Secret." Thus, "Confidential" restricted data is entitled, under our laws, to far more elaborate statutory protection than is afforded our most vital "Top Secret" defense information in areas other than atomic energy. This is not only incongruous, it is also wasteful of time, money, and energy.

But even though atomic energy secrets are given more elaborate statutory protection than other national defense secrets in the respects covered in the Atomic Energy Act, it is an astonishing fact that in some important respects they get much less protection. For example, atomic energy areas of security concern have no statutory protection against trespass, or unauthorized photography or sketching, such as is available with respect to areas within the cognizance of the Department of Defense under sections 795, 796, and 797 of title 18 of the United States Code, sections 781, 782, and 783 of title 50, appendix, of the United States Code, and section 797 of title 50 of the United States Code. Similarly, the Atomic Energy Act does not include some penalty provisions of the type found in the Espionage Act relating to willful communication of defense information to unauthorized persons and to loss of defense information through gross negligence, such as are found in sections 793 (d), (e), and (f) of title 18 of the United States Code.

There appears to be no justification whatever for this uneven treatment of matters of like security import on the basis of the type of information involved and the particular agency concerned. It would appear desirable and essential, in the interests of national security, that all national defense secrets and all areas of security concern of like importance be protected uniformly under laws determined to be adequate.

## THE ESPIONAGE LAWS

Another problem is presented by the present state of our espionage laws. The basic statute establishing criminal penalties for improper acquisition, handling, or communication of national defense secrets is the Espionage Act of 1917, as amended, sections 793 and 794 of title 18 of the United States Code. These provisions clearly embrace all national defense secrets of whatever kind or character. Nevertheless, when Congress created the Atomic Energy Act of 1946 it saw

fit to adopt separate, parallel criminal penalties with respect to atomic energy restricted data. And then, in 1951, another separate statute was enacted establishing parallel criminal penalties with respect to cryptographic data. The coexistence of these three statutes of varying scope and with varying penalty provisions for like offenses gives rise to substantial questions as to whether the United States at the present time has a wholly effective structure for criminal enforcement of its programs for protection of national defense secrets.

These questions can be most effectively demonstrated by reference to the relationships between the Espionage Act provisions and the analogous provisions of the Atomic Energy Act.

Sections 224 and 225 of the Atomic Energy Act of 1954 (secs. 10 (b) (2) and 10 (b) (3) of the 1946 act) establish criminal penalties for wrongful acquisition or communication of restricted data. There appears to be no conduct defined as an offense under these provisions which would not also be subject to prosecution under sections 793 or 794 of title 18, in the absence of the special atomic energy provisions. On the other hand, there are some offenses defined under 793, which are not offenses under the Atomic Energy Act. For example, the Atomic Energy Act does not contain a "gross negligence" provision such as is found in section 793 (f) of title 18. Similarly, it does not contain provisions comparable to sections 793 (d) and (e) making it an offense, punishable by imprisonment for up to 10 years and/or a fine of up to \$10,000 for "willfully," regardless of intent or reason to believe, transmitting national defense secrets in tangible or documentary form to unauthorized persons, or "willfully" transmitting information to unauthorized persons with reasons to believe the information could be used to the injury of the United States or to the advantage of another nation. The Atomic Energy Act of 1954, did, however, incorporate a new provision, making it an offense, carrying a maximum penalty of \$2,500, with no provision for imprisonment, for any person who has been associated with the atomic energy project, knowingly to communicate restricted data to unauthorized persons. This would, presumably, embrace all conduct of the type proscribed in sections 793 (d) and (e) except that section 793 (e) would apply as well to individuals who have not been associated with Government activities. The penalty under the Atomic Energy Act for such offenses, however, is only nominal as compared with that specified under sections 793 (d) and (e).

There are, moreover, significant differences in the degree of penalty provided under the two laws for conduct which constitutes substantially the same offense under both. In some instances the penalties under the Atomic Energy Act would be more severe; in other instances they would be less severe.

This situation gives rise to two principal questions. Do the provisions of the Espionage Act remain applicable to offenses involving restricted data where the conduct in question is also an offense under the Atomic Energy Act, so as to permit prosecution under the Espionage Act where this act provides for heavier penalties than apply under the Atomic Energy Act? Do the provisions of the Espionage Act which have no parallel in the Atomic Energy Act remain applicable so as to enable prosecution under the Espionage Act for conduct which does not constitute an offense under the Atomic Energy Act?

It seems clear that the special espionage provisions of the Atomic Energy Act had their origin in the desire of the Congress to remove atomic scientists from the coverage of the Espionage Act. This point of view was succinctly stated by James R. Newman, who was counsel to the Senate Special

Committee on Atomic Energy which drafted the Atomic Energy Act of 1946.

"In the earliest stages of drafting legislation for the development and control of atomic energy, it was realized that the provisions of the Espionage Act were unsuited in several respects for dealing with the secret data of theoretical and applied nuclear physics. The control of information provisions of the Atomic Energy Act were not merely designed to plug certain gaps in the Espionage Act; they were designed with the object of satisfying as far as possible the desires of scientists to escape the stultifying restrictions on the exchange of information to which they had been subjected by the Manhattan District. Although in certain respects more comprehensive and more stringent than the Espionage Act, the Atomic Energy Act provided a framework within which the scientists felt they had some chance of operating effectively, however hazardous their personal lives might become. On the other hand they were convinced that an extension of the information practices of the Manhattan District, based on the Espionage Act, would in the long run smother all creative activity in the field of nuclear research."<sup>1</sup>

At the same time, however, the Congress included in the Atomic Energy Act of 1946 a provision, section 10 (b) (6), reading:

"This section shall not exclude the applicable provisions of any other laws."

This provision appears unmistakably to be intended to preserve the operation of the Espionage Act in the atomic energy field, and was so interpreted by the Supreme Court of the United States in the Rosenberg case. Moreover, when this provision was reenacted as section 229 of the Atomic Energy Act of 1954, the report of the Joint Committee on Atomic Energy expressly referred to this provision as continuing the applicability of the espionage law.

This situation demonstrates the present confusion in the field of security. In enacting the Atomic Energy Act of 1946, we apparently removed atomic energy from the ambit of the Espionage Act with one hand, while with the other hand we brought atomic energy back within its ambit, at least to some extent. As Mr. Newman pointed out, if the Espionage Act remains applicable to atomic-energy matters, "the scientists have, indeed, sustained a crushing defeat and the more moderate and enlightened information provisions of the Atomic Energy Act are little more than pletisms."<sup>2</sup> Moreover, even if the Espionage Act remains applicable to conduct involving atomic-energy matters which are not offenses under the Atomic Energy Act, there are still serious difficulties in reconciling the provisions of the two statutes in cases involving conduct which are offenses under both. These difficulties are discussed in Mr. Newman's article published in 1947,<sup>3</sup> and also in a Legal Analysis of the Adequacy of the United States Laws With Respect to Offenses Against National Security, prepared by the Library of Congress in 1953 and published as a committee print by the Senate Committee on Foreign Relations,<sup>4</sup> under the direction of the distinguished senior Senator from Wisconsin.

This is, of course, another example of the uneven and illogical treatment of matters of like security import which pervades our security mechanism. There appears to be no reason why this state of uncertainty and difficulty, with possibilities of loopholes in our espionage laws, should persist. No Government witness before the subcommittee was

<sup>1</sup> Newman, Control of Information Relating to Atomic Energy, 56 Yale Law Journal 769 at 790 (1947).

<sup>2</sup> Ibid., at 790.

<sup>3</sup> Ibid., 791-801.

<sup>4</sup> 83d Cong., 1st sess.

## REPORT ON THE SECURITY PROBLEM

tional control or direction. There is little question that the present situation involves considerable waste of money and valuable time, that it is not as effective or efficient as it might be in protecting our national security, and that substantial improvements can be made to assure better protection of individual rights without any diminution of security.

It is important to an understanding of the anatomy of security that there be an appreciation of the extent to which the security mechanism permeates our society today. It is a well-known fact that some 2 million employees of the Federal Government are subject to a program for security investigation and clearance, and that similar programs exist for investigation and clearance of Americans employed by the United Nations. It is not as well known that at least an equal number of employees of Government contractors are subject to similar, or even identical programs, and that under the Atomic Energy Act of 1954 many thousands of employees of private industries entering the atomic-energy industry as licensees, with no connection with national-defense programs, will also be subject to security investigation and clearance. In addition, several hundred thousand merchant seamen and waterfront workers are subject to security investigation and clearance under the port-security program. Moreover, considering problems of turnover in Government and industrial employment, it is apparent that additional millions of our citizens have been or will be subject to security-risk standards. In addition, there has been an increasing tendency on the part of private employers to refrain from employing, even in positions without any relation to Government security requirements, individuals concerning whom there has been or may be a security question raised.

It is important also to appreciate the dollar costs of our security programs. Complete statistics are not readily available, but the fragmentary data available reveal the magnitude of the costs. The Atomic Energy Commission alone since 1946 had over half a million full background investigations conducted for it by the Civil Service Commission and by the Federal Bureau of Investigation. At the present time, the costs of such investigations are \$210 for each FBI investigation and \$265 for each Civil Service Commission investigation. This means, taking the FBI figure alone, that over \$100 million has been expended for personnel security investigations in the atomic energy program alone in the past 9 years. The Department of Defense has furnished information indicating that its costs for security investigations in 1954 for military, civilian, and contractor personnel amounted to almost \$29 million. These costs do not reflect the other costs of security such as salaries of personnel who administer the security programs, expenses of handling the substantial paperwork necessary in the program, and expenses of other trappings of the security mechanism such as fences, guards, weapons, etc. It is apparent that the costs of security, all told, reach astronomical proportions.

It is imperative that a security mechanism of these dimensions and far-reaching implications, with life or death importance to our national defense, be operated as a matter of conscious, well-considered national policy, and not as a matter of haphazard or stopgap expedients.

### THE MAJOR PROBLEMS

A number of obvious specific difficulties and possible deficiencies in the present security mechanism came to light in the course of the subcommittee's hearings on Senate Joint Resolution 21, and are discussed in this report. These difficulties alone demonstrate the existing state of confusion and lack of rational planning and coordination

in the security field, and would fully justify adoption of Senate Joint Resolution 21 as the first step in a careful reexamination of the present security mechanism looking toward possible overhaul or corrective measures. It must be pointed out, however, that these are merely illustrative examples, and do not represent a complete catalog of those aspects of the present mechanism which affords grounds for concern. Many other difficulties came to light in the specific areas of the security program on which the subcommittee concentrated its attention, and there is little reason to doubt that similar difficulties are to be found in other areas which the subcommittee explored only superficially.

### THE UNEVEN TREATMENT OF AREAS OF LIKE SECURITY IMPORT

One of the most troubling aspects of the overall security mechanism is the variation in degree of security protection presently afforded by statute to the various areas of security import in our national defense effort. This is most dramatically demonstrated in the present dichotomy between atomic energy matters on the one hand, and all other defense areas on the other, insofar as concerns the protection and control of national defense secrets.

The Atomic Energy Act of 1946 contained, and the Atomic Energy Act of 1954 reenacted, provisions establishing a self-contained and autonomous system of information control. The cornerstone of this system is the concept of restricted data, broadly defined in the act to embrace all national defense secrets in the atomic energy field. No affirmative act by AEC is required to bring information within the scope of the restricted data concept and, therefore, within the protected sphere; rather, all information falling within the restricted data definition is automatically subject to the act's provisions for protection and control. National defense information of other kinds becomes "classified defense information" only by the affirmative act of the department or agency in classifying the information pursuant to Executive Order 10501. Similarly, unlike the situation prevailing with respect to "classified defense information," which is subject to declassification by purely administrative discretion, the Atomic Energy Act prescribes specific statutory standards and criteria for declassification.

Restricted data is automatically subject to a complex of statutory provisions for protection and control:

1. Restricted data is subject to the special espionage provisions of the Atomic Energy Act which closely parallel the provisions of the Espionage Act of 1917, as amended. These special provisions are generally regarded as more stringent than those of the Espionage Act, although in actual fact they are less stringent in some important respects.

- One provision of the Atomic Energy Act, section 227, is wholly unique in that it provides a penalty for communication of restricted data information to any unauthorized person, regardless of the communicator's intent and regardless of whether he has reason to believe that the information will or could be used to injure the United States or benefit another nation, if the communicator knows or has reason to believe the information is restricted data and that the communicant is not authorized to receive it. This is in sharp contrast to the analogous provisions of the espionage act which provide for penalties only if the communicator has at least reason to believe the information could be used to the injury of the United States or to the benefit of another nation, and if the communication is willful.

2. The Atomic Energy Act specifically establishes standards for determining those individuals who will be authorized to have ac-

cess to restricted data. Only individuals appropriately "cleared" by AEC, generally on the basis of a specified investigation by the FBI or the Civil Service Commission, may have access to restricted data. In the other areas of Government security, heads of departments and agencies have complete discretion to make their own determinations as to who will be permitted to have access to classified information, and the conditions under which such access will be afforded.

3. The Atomic Energy Act contains express and specific limitations upon the communication of restricted data to other nations. There are no comparable restrictions or limitations with respect to any other kind of classified defense information.

4. The Atomic Energy Act expressly authorizes AEC to control the dissemination of restricted data in such a manner as to assure the common defense and security. AEC is expressly authorized, also, to promulgate regulations or orders to protect restricted data received by any person in connection with activities authorized under the act. Violation of such regulations constitutes a criminal offense carrying heavy penalties. AEC has, moreover, authority to enjoin violations of the act and violations of its regulations.

The scope of this authority to control information warrants careful note. The AEC general counsel expressed the view, in testimony before the subcommittee, that AEC may impose its security controls upon activities, wholly outside the sphere of Government programs, in the course of which a scientist might independently, and on his own, develop information falling within the restricted data definition. An individual who develops an idea of this sort could, according to the general counsel's testimony, be cautioned that he must safeguard the information and not pass it on to unauthorized persons. He would, presumably, require AEC security clearance to work further on his idea. Major complications would arise if he refused to be cleared, or if he were found ineligible for clearance. The AEC's injunctive authority, as well as the possibilities of criminal prosecution, exist to enforce AEC's control machinery. The implications of this authority are extremely broad and far-reaching, particularly in view of the recent opening of the atomic energy field to American industry. Existence of such broad authority raises basic questions of national policy warranting careful consideration and rational determination.

The information control machinery of the Atomic Energy Act has no parallel elsewhere in the overall security mechanism. Other agencies vitally concerned with protection of other types of national secrets operate without express statutory authority to control the dissemination of classified information, without authority to issue security regulations with effective teeth, and without authority to enjoin security violations. Indeed, such authority as they may attempt to exercise in controlling the dissemination of national defense secrets is almost wholly administrative in nature, with virtually no clear statutory foundation. The practical effect is that the Government has two separate systems of information control. One is based upon requirements established by the President for classification and safeguarding of national defense information in Executive Order 10501; the other is based upon Atomic Energy Commission's regulations for control of restricted data pursuant to the requirements of the Atomic Energy Act.

These unique statutory provisions applicable to atomic energy restricted data represent the first attempt to establish a comprehensive system for protection of national secrets, although the system operates within only a small area of the Government's total security interest. Its existence raises the fundamental question why, if these elements of the atomic energy security system



# REPORT ON THE SECURITY PROBLEM

## THE SECURITY PROBLEM

Senate Joint Resolution 21 is intended to provide a basis for a comprehensive reexamination and reevaluation of the entire security mechanism of the United States Government. The necessity for such a reexamination and reevaluation appears to be well established in the light of the present state of confusion, overlapping, duplication, and loopholes in the overall security mechanism, as well as in the widespread concern and lack of confidence expressed by important segments of the public in the manner in which our Government security programs are being administered.

It is important that there be a clear understanding as to the manner in which the present security mechanism has evolved. It can be demonstrated that the present mechanism is replete with anomalies, loopholes, inconsistencies, anachronisms, and lack of coordination without pointing a finger of criticism or blame at any political party, at any national administration, or at any person or group of persons.

Our present security mechanism, which to so large an extent dominates our political life in 1955, is almost entirely a phenomenon of the past decade. It does not strain the facts to point out that through the close of World War II we had no security mechanism in any way comparable to what we have today. It is true that there was some awareness of the need for security in the Government, and that a few departments of the Government had established security programs which, measured by current standards, must be regarded as rather primitive. There was, however, no effort to construct any kind of comprehensive program for protecting the national security and national defense against acts of subversion, indiscretion, or carelessness.

We became fully aware of the necessity for a stringent security program only when we became aware of the imminent perils of Soviet imperialism and Soviet subversion. We were almost totally unprepared, as a Nation, to deal with this dangerous enemy who utilized fiendishly unique techniques of subversion and espionage to accomplish its purposes. Our first and most urgent concern was to erect adequate security defenses. We did not then have the time to undertake exhaustive study and definition of the perils we faced or to formulate a comprehensive, round program for meeting these perils. We were forced to adopt stop-gap security measures. This resulted in a series of uncoordinated congressional enactments and Executive orders and regulations which have accumulated into our present security mechanism. Although each one of the individual enactments, orders, and regulations may have been reasonable and effective in meeting the immediate problems faced when it was adopted, the resulting conglomeration of security laws, orders, regulations, and practices does not add up to an effective, efficient, and sound security system. Nor does it add up to a security mechanism which reflects careful effort to reconcile the needs of security with protection and preservation of basic American traditions, rights, and privileges.

The security problem is not only one of assuring that our citizens are fairly and justly treated in their dealings with their Government in the area of security considerations. Another, and at least equally important aspect of the present security problem is to assure that we have a security mechanism which will effectively protect the national security. There can be little doubt that the present security mechanism, with all its deficiencies—some of which I shall discuss—is not affording our Nation as effective and efficient security protection as can be achieved. There can also be little doubt that a security mechanism, which fails to command the full respect and confidence of Government employees and large, responsi-

ble segments of the public cannot succeed in providing maximum security for a freedom-loving nation.

Our major task in the security field today must be to bring well-reasoned and effective order, uniformity, and consistency out of the existing jerry-built security structure. Senate Joint Resolution 21 represents the indispensable first step in this direction.

### SUMMARY OF SENATE JOINT RESOLUTION 21

Senate Joint Resolution 21 would establish a 12-member nonpartisan commission, patterns after the Commission on Organization of the Executive Branch of the Government, to study all phases of the Government's security programs and procedures, and to submit appropriate recommendations. The President would appoint 4 members to the Commission, 2 from the executive branch and 2 from private life; the President of the Senate would appoint 4 members, 2 from the Senate and 2 from private life; and Speaker of the House of Representatives would appoint 4 members, 2 from the House and 2 from private life. No more than 2 appointees of each could be from the same political party. The Commission would elect its chairman and vice chairman from among its members.

The Commission's function would be to study the entire Government security program, including the various statutes, Presidential orders, regulations, and directives under which the Government seeks to protect the national security, national defense secrets, and public and private defense facilities against loss or injury from espionage, disloyalty, subversive activity, sabotage, or unauthorized disclosures, together with the actual manner in which these statutes, orders, regulations, and directives are being administered, to determine whether the overall security program is in accord with the policy of the Congress, stated in section 1, that there shall exist a sound Government program—

(a) Establishing procedures for security investigations and clearance for Government employees and persons privately employed or occupied on work requiring access to national secrets or affording significant opportunity for injury to the national security;

(b) For vigorous enforcement of effective and realistic security laws and regulations; and

(c) For a careful, consistent, and efficient administration of this policy in a manner which will protect the national security and preserve basic American rights.

The Commission would, on the basis of this study, submit reports and recommendations on desirable changes, and on adequacies or deficiencies in the present situation from the standpoints of internal consistency of the overall program, effective protection and maintenance of the national security, and protection and preservation of basic American rights.

The Commission would be empowered to hold hearings, to administer oaths, and to subpoena attendance, testimony, and production of books, records, correspondence, memoranda, papers and documents, as it deems advisable. All agencies and departments would be authorized and directed to cooperate fully with the Commission and to furnish such information as the Commission may request, except for such information as the President may determine might jeopardize or interfere with pending or prospective criminal prosecutions, with the carrying out of investigative or intelligence responsibilities, or with the interests of national security.

### THE COMMITTEE'S METHOD OF PROCEDURE

The Subcommittee on Reorganization of the Committee on Government Operations, to whom Senate Joint Resolution 21 was referred for consideration, held extensive hearings over a two-week period in the effort to obtain a clear view and understanding of the

anatomy of the Government's overall security mechanism, and to delineate any problems which might be found to exist in the overall security mechanism which would indicate the necessity for further study by a Commission, such as is contemplated in Senate Joint Resolution 21, or by some other body. The Department of Justice specifically endorsed the subcommittee's broad approach to the security question. The subcommittee did not seek, however, to explore in detail each and every phase of the security mechanism, since this did not appear feasible from the standpoint of its resources and the practical considerations of time. Such an effort would, moreover, duplicate the work of the Commission which would be established if Senate Joint Resolution 21 is approved. Consequently, attention was focused on a few areas of the overall security mechanism which appeared on the surface to present substantial problems.

The subcommittee requested testimony of those governmental agencies which appeared to have the principal responsibilities or greatest experience in the security field, or in connection with whose activities significant security problems seemed to exist. The agencies requested to appear were the Department of Justice, the Department of Defense, the Atomic Energy Commission, the Department of State, the Civil Service Commission, the United States Coast Guard, the Federal Civil Defense Administration, and the District of Columbia Office of Civil Defense.

In addition, in recognition of the fact that the Government security mechanism has substantial implications beyond the area of purely governmental activities, the subcommittee requested testimony from representative private organizations with special experience or interest in security matters. To represent the experience and point of view of American industry, the subcommittee requested the testimony of Douglas Aircraft Co. and General Electric Co. A representative of the former testified.

To represent the experience and point of view of American universities, the University of Chicago and Harvard University were requested to, and did, testify. To represent the experience and point of view of organized labor, the Congress of Industrial Organizations and the American Federation of Labor were requested to testify. The former appeared, and the latter submitted a written statement. To represent the experience and point of view of scientific and engineering groups, the subcommittee invited the testimony of the Federation of American Scientists. The Fund for the Republic, and the American Civil Liberties Union were also invited, in view of their special interest in phases of the security program. To represent the experience and point of view of American information mediums, the subcommittee requested the testimony of the American Society of Newspaper Editors.

In addition, a number of other organizations requested an opportunity to appear before the subcommittee to present their views.

Written statements have also been submitted by a number of other organizations.

### THE ANATOMY OF THE SECURITY MECHANISM

The hearings before the subcommittee, and consideration of the pertinent statutes, executive orders, regulations, and procedures, reveal a pattern of confusion permeating all phases of the security mechanism. The American people have felt, especially within the past decade, an increasing need for security against the very real dangers of subversion, and the Congress and the executive branch responded to this need with a series of separate and often unrelated statutes and orders. This resulted, perhaps necessarily, in a mass of uncoordinated, random, haphazard legislation and administrative action. There is no evidence whatever that the present security mechanism has evolved with ra-



# **REPORT ON THE SECURITY PROBLEM**

**By a Subcommittee of the Committee on Government Operations,  
United States Senate**

**In Support of Senate Joint Resolution 21  
To Establish a Commission on Government Security**

**Reprinted from The Congressional Record  
Distributed by The Fund for the Republic, Inc.**

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Hon. John F. X. McDohey  
Judge, U. S. District Court for  
The Southern District of New York  
New York, N. Y.

(7)

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI  
 Attention: Assistant Director A.H. Belmont

DATE: 9/27/55

FROM : SAC, New York (62-11509)

SUBJECT: FUND FOR THE REPUBLIC  
MISCELLANEOUS - INFORMATION CONCERNING

Re Bureau telephone call 9/23/55.

There is attached a pamphlet entitled "Report On The Security Problem By a Subcommittee of the Committee on Government Operations, United States Senate", bearing the return address of The Fund for the Republic, Inc., 60 East 42nd Street, NYC.

Also attached is a card referring to the above publication and indicating that the above report was not a report of the Subcommittee of the Senate Committee on Government Operations but a statement by Senator HUBERT H. HUMPHREY inserted into the Record by him in support of Senate Joint Resolution 21.

It is requested that the enclosures attached herewith be returned when they have served their purpose at the Bureau in order that they may be returned to Honorable JOHN F.X. McGOHEY of the Southern District of New York, from whom they were obtained on a confidential basis.

Enc. 2

ENCL

92

ENCLOSURE ATTACHED  
 ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 7-26-82 BY 2008/STP/STP

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INDEXED-92

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INDEXED-92 100-391697-201  
Director, FBI (100-391697)

October 7, 1955

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EX-112  
THE FUND FOR THE REPUBLIC, INC.  
MISCELLANEOUS INFORMATION CONCERNING  
(Central Research Section)

Reurlet dated September 27, 1955.

There are being transmitted herewith a pamphlet entitled  
"Report on the Security Problem" by a Subcommittee of the Committee  
on Government Operations, United States Senate, and a post card  
addressed to the Honorable John F. X. McGohey, as requested in relet.

When this material is returned to Judge McGohey, you should  
express the Bureau's appreciation for his cooperation in this matter.

Enclosures (2) (Sealed)

JFC:mjh  
(4)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-20-83 BY 8885 BJS/RS

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Gandy \_\_\_\_\_

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## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: October 10, 1955

FROM : Mr. A. Jones

SUBJECT: ~~WORLD NEWS ROUNDUP~~  
WRC, 8:00 A.M., 10/10/55  
~~FUND FOR THE REPUBLIC~~

Tolson	_____
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Gandy	_____

It was reported on World News Roundup this morning that The American Legion, which opens its national convention today in Miami, Florida, has accepted a report accusing the Fund for the Republic of having left-wing tendencies.

RECOMMENDATION:

None. For information.

cc - Mr. Belmont

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100-391697-202

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(4)

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DATE 1/26/89 BY 20858

EX - 113

71 OCT 18 1955

## Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT *avb*

DATE: October 5, 1955

FROM : R. R. ROACH *B*

SUBJECT: \$30,000 GRANT TO  
INSTITUTE OF LEGAL RESEARCH,  
UNIVERSITY OF PENNSYLVANIA  
LAW SCHOOL;  
FUND FOR THE REPUBLIC

Tolson \_\_\_\_\_  
Boardman \_\_\_\_\_  
Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Harbo \_\_\_\_\_  
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Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holloman \_\_\_\_\_

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/89 BY *8835 J*

SYNOPSIS:

Washington City News Service release, 9/26/55, states Fund for the Republic granted \$30,000 to Institute of Legal Research, University of Pennsylvania Law School, to study how the Government intercepts and impounds non-mailable matter. News release identified Dean of Law School as Jefferson B. Fordham and stated Director of the Institute of Legal Research was James C. N. Paul and that project would be in charge of Murray L. Schwartz, a Philadelphia attorney. No record in Bureau files concerning Institute of Legal Research at University of Pennsylvania Law School. James C. N. Paul believed identical James Caverly Newlin Paul, subject of Departmental applicant investigation in 1953; no derogatory information. Murray L. Schwartz believed identical with Murray Louis Schwartz, subject of Departmental applicant-type investigations in 1949 and 1952; no derogatory information. Jefferson B. Fordham reported to have been a speaker at a Civil Rights rally sponsored by Ohio State University's Progressive Citizens Committee in November, 1948, where discussion was "Are Civil Rights endangered by the House Un-American Activities Committee?" Progressive Citizens Committee at Ohio State University reportedly controlled by small group of Communist Party (CP) members who were formerly active in American Youth for Democracy.

ACTION:

For your information. This information will be retained in the running memorandum on the Fund for the Republic maintained in the Liaison Section.

JEL:pyp

(6)

1 - Mr. Nichols

1 - Mr. Belmont

1 - Section Ticklers

1 - J. A. Landis

1 - Fellow

OCT 11 1955

FBI - PHOENIX

Memorandum for Mr. Belmont

DETAILS:

A Washington City News Service release dated 9/26/55, stated that the Fund for the Republic had granted \$30,000 to the Institute of Legal Research of the University of Pennsylvania Law School to study how the Government intercepts and impounds non-mailable matter. The news release stated that the study would concern Government action against obscene publications, foreign political propaganda and other such material according to Jefferson B. Fordham, Dean of the University of Pennsylvania Law School. The news release also stated that James C. N. Paul, Director of the Institute, and Murray L. Schwartz, a Philadelphia attorney, would be in charge of the project.

A search of Bureau indices failed to locate any record of the Institute of Legal Research of the University of Pennsylvania Law School. James C. N. Paul, Director of the Institute, is believed to be identical with James Caverly Newlin Paul who was the subject of a Departmental applicant investigation conducted by the Bureau in 1953. This investigation was requested by the Department at the time that Paul was an applicant for a position in the Civil Division of the Department of Justice. By memorandum dated 6/17/53, Mr. William P. Rogers, Deputy Attorney General, requested that the investigation be discontinued as Mr. Paul had accepted another position. No derogatory information concerning Paul was developed during this investigation. Investigation did develop the information that Paul was born in Philadelphia, Pennsylvania, 4/30/26, and received an LL.B. Degree from the University of Pennsylvania in 1951. (77-58680)

Murray L. Schwartz, listed in the news release as a Philadelphia attorney who would be in charge of the proposed project, is believed to be identical with Murray Louis Schwartz who has been the subject of two Departmental applicant-type investigations conducted by the Bureau, one in 1949 and the other in 1952. These investigations disclosed that Schwartz received an LL.B. Degree from the University of Pennsylvania Law School in June, 1949, graduating magna cum laude. No derogatory information concerning him was developed during either of the above-mentioned investigations. (77-42553)

No investigation has been conducted by the Bureau concerning Jefferson B. Fordham. However, Bureau files show that he formerly served as Dean, College of Law, Ohio State University and in that



Memorandum for Mr. Belmont

capacity was reported by G-2, Department of the Army, to have been a speaker at a Civil Rights rally sponsored by Ohio State University's Progressive Citizens Committee on November 17, 1948, at which time the topic of discussion was "Are Civil Rights endangered by the House Un-American Activities Committee?" According to the files of G-2, Dean Fordham stated that the Congressional Un-American Activities Committee had no valid excuse for existing. The files of the Columbus, Ohio, office of G-2 further reflected that the Ohio State University's Progressive Citizens Committee was a potential subversive organization which had been banned by the University's administration on 4/9/48 and that during the period the Progressive Citizens Committee was active at Ohio State University, it was controlled by a small group of CP members who were formerly active in the American Youth for Democracy. (126-561-19; 100-373415-11)

ST- Ash

Office Memorandum

UNITED STATES GOVERNMENT

GOVERNMENT

TO :

Mr. Tolson

DATE: 9/30/55

FROM :

L. B. Nichols

SUBJECT:

SENATE SUBCOMMITTEE ON  
CONSTITUTIONAL RIGHTS

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/89 BY SP8 BJS/STP

Tolson  
Boardman  
Belmont  
Harbo  
Mohr  
Parsons  
Rosen  
Tamm  
 Sizoo  
Winterrowd  
Tele. Room  
Holloman  
Gandy

Irving Ferman, the Washington representative of the American Civil Liberties Union, advised me on 9/30/55, that Senator O'Mahoney is thoroughly aroused over the activities of the Senate Subcommittee on Constitutional Rights and he is sending a letter to Senator Hennings making three points.

In the first instance, Senator O'Mahoney vigorously disassociated himself from the hearings which were held in the old Supreme Court Chambers on 9/17/55, which were in the nature of a Petition for Redress of Grievances under the Bill of Rights. O'Mahoney pointed out that this was more of a demonstration than a hearing; that it was not true and it was improper to handle it in this manner. Secondly, he pointed out that he is concerned over the action of the Staff in setting up hearings such as those which occurred on 9/17/55, and other hearings contemplated for the future without the full approval of the committee and in the third instance, he vigorously objected to the Staff sending out letters and making statements without the approval of the Committee.

O'Mahoney, according to Ferman, is laying the foundation to resign from the Committee. The Committee had scheduled hearings to begin on 10/3/55, on Freedom of Religion. These hearings, however, have been cancelled. Ferman further told me that members of the Staff have been going to New York at periodic intervals to confer with the Staff of the Fund for the Republic and it is his feeling that the Fund for the Republic has been manipulating the Staff. Ferman further pointed out that he went into the Office of Adam Yarmolinsky today and overheard Yarmolinsky talking over the telephone to Paul Hadlock, a member of the Senate Post Office and Civil Service Committee, and from what he could gather from the conversation, Yarmolinsky was making an appointment for Paul Hadlock to confer with Robert Maynard Hutchins at 3:00 p.m. at the Statler Hotel on some date in the future which Ferman did not get. Hutchins is to be in Washington on 10/7/55, to receive an award from the American Veterans Committee so this might be the date.

cc - Mr. Boardman  
Mr. Belmont

7 OCT 12 1955

DRAFT

Mr. John Fischer → (But to be released to the press the day after  
Editor in Chief mailing)  
Harper's Magazine  
49 East 33d Street  
New York 16, New York

Dear Mr. Fischer:

Since the appearance of the article "The Kept Witnesses" by Richard Rovere in your May edition of Harper's Magazine the Department of Justice has received a number of letters commenting upon the article and requesting information concerning its accuracy. These letters have been referred to the Internal Security Division for appropriate reply.

As you may well understand it is not the usual policy of the Department of Justice to engage in disputes with individuals who author critical articles. However, in view of the widespread dissemination of this article, not only through the sale of Harper's but through the distribution of a reprint by The Fund For the Republic, the number of commenting letters brought to the attention of this Division, and the gross inaccuracies so flagrantly displayed in this article I feel that an exception to policy in this instance is mandatory. (in the interests...)

For a study to be dispassionate, as you have characterized Mr. Rovere's lead article, it must, of course, be factual, free from distortion and bedded in truth. Mr. Rovere in his analysis not only fails to deal dispassionately with a serious problem but deals carelessly with facts in impugning the professional integrity of Departmental attorneys in a totally unjustified manner that cannot be left unanswered. To deal in distortions is to create false impressions and this I should think [know from personal experience has never been] would not be sanctioned by your editorial staff.

In "The Kept Witnesses" Mr. Rovere first discusses three individuals, Harvey Matusow, Marie Natvig and Lowell Watson. With reference to Matusow, the article states that his first testimony in the Smith Act prosecution, United States v. Flynn, "pleased the government attorneys,\* \* \*, and gained him an honored position as a kept, \* \* \*, witness."

Matusow was one of many individuals interviewed by Government attorneys as prospective witnesses in the Flynn prosecution. In all such criminal prosecutions it is the duty of the prosecuting attorney to determine the extent of existing evidence. In this process, many individuals who profess to have information of value are interviewed. Many are rejected and for a variety of reasons. Their information may lack evidentiary value or it may not be credible in the light of reliable information already available to the prosecution. But in each instance the information is carefully evaluated, and it is not, as Mr. Rovere so blandly and falsely states, a product of the prospective witness being hired to testify according to the wishes of the lawyer. The prospective witness is asked to supply what information he has concerning the criminal activities of the defendant; he is then questioned concerning this information, and in the light of this interrogation, the information is evaluated. This is and has been the process utilized by Departmental attorneys in obtaining evidence in all criminal prosecutions.

It can be said, of course, that Matusow [thwarted] confused the Government attorneys in their attempt to discern the truth through their processes of interrogation, but even this would be a mere speculation, for who can now be certain when he was or is lying, except where he is corroborated. Does this give Mr. Rovere license to libel Departmental

attorneys or to state that Matusov, because of his deception, assumed an "honored position" as a kept witness? The latter statement can be refuted by a simple glance at the facts. Since the Flynn prosecution, the Department has instigated and successfully tried ten Smith Act prosecutions. In none of these subsequent actions has Matusov testified. In fact, he thereafter testified in only one criminal prosecution conducted by the Department.

Marie Natvig, whom Mr. Rovere also places in <sup>his</sup> ~~category~~/category of kept witnesses, has never been used as a witness by the Department of Justice and, in truth, has testified but once for the Government. This is so well known to all newsmen it is difficult to believe that any statement or implication to the contrary could have been accidental. Yet Mr. Rovere states that the courts, the commissions and the security panels before which Mrs. Natvig and Matusov were lavish of oaths "will be a long time working over the tangled skein of evidence put in the record by this bedeviled youth and this odd woman."

Mr. Rovere's second area of discussion, subheaded "Partners In The Racket", contains some even more startling inaccuracies bound to deceive and mislead the reader. He concludes that "Matusov was in partnership with the government" in a racket originated, encouraged and paid for by the Government. Mr. Webster defines "racket" as a slang expression meaning a fraudulent scheme. Thus, Mr. Rovere surpasses even Matusov's remarks as they were directed against the Government. Matusov attributed all of his false testimony in the Flynn case to suggestions by the attorneys for the Government who conducted pre-trial interviews with him. But he specifically impugned only one Government attorney. He

charged Roy Cohn specifically and in great detail with inspiring two of his items of testimony. Judge Dimock, after an extensive hearing on this very question, found that the "detailed attribution to Cohn was made up out of whole cloth. \* \* \* the accusation that Matusow's perjury was suborned by the Government attorneys \* \* \* proved to be without foundation."

Upon what basis then does Mr. Rovere make his serious accusation? Perhaps he is relying upon the original recantation of Mrs. Hatvig, although she herself subsequently admitted her accusations against Federal Communications Commission attorneys were a total fabrication. It would seem that the words of Judge Dimock are as applicable to Mr. Rovere's accusation that government attorneys suborned perjury, as they are to this same accusation out of the mouth of Matusow.

Mr. Rovere complains that the Government's use of expert witnesses is "veiled in secrecy. The government won't talk." It will not reveal "the number and the identity of those whom it hires to testify according to the wishes of its lawyers." He then goes on to state that the Government cannot withhold the names on the ground that "these people are confidential informers; obviously it cannot do that in the case of men and women who appear in open court." This statement contains a quite obvious contradiction. The witnesses who appear in open court obviously give their names and a great deal of other information pertinent to Mr. Rovere's inquiry.

This information is a matter of public record and in most instances this public record reveals amounts paid, length of retention as a consultant, if such is the case, and background material on the witness, which in many instances is extensively gone into on cross-examination. Why did not Mr. Rovere peruse these sources, available to anyone desirous of

securing true facts, instead of requesting the Department to complete his research project? Such is not a function of the Department of Justice when the information is available to the public through other sources.

Mr. Rovere mentions that a Washington journalist published a list of eighty-three persons who have testified on various occasions for the Department, and are all under contract to the Immigration and Naturalization Service of the Department. This list was published in 1954, and Mr. Rovere states that "It seems wholly reasonable to assume that, despite the defection of Harvey Matusow, the number is not smaller today." It is a fact that most of these individuals were retained on a contract basis by the Immigration and Naturalization Service and were paid expert witness fees for the actual time their services were utilized in connection with adversary proceedings. These contracts have terminated and are not being renewed. However, these persons were no more "kept witnesses," as Mr. Rovere uses the term, than any person who might be paid expert witness fees in connection with his testimony in any judicial proceeding. The fees paid these witnesses are always a subject of extensive cross-examination before the jury. A thorough disclosure has been made in innumerable criminal prosecutions and denaturalization proceedings.

Under the subheading "The Wages of Repentance" another very serious accusation is made by Mr. Rovere. He clearly implies that the Government witnesses were hired and retained only so long as they could, among other things, "interpret Communist doctrine in such a way as to bring it within the area proscribed by the Smith Act." We feel that ~~the~~ the doctrines of Communism need no distortion of interpretation to fit within the purview of the Smith Act. This feeling is based upon thirteen successful



(To be inserted either on page 6 or page 7 where  
asterik appears):

Rarely, if ever, can a conspiracy be shown  
except by the defection of one of the conspirators.

Smith Act prosecutions where, to a considerable extent, evidence of Communist doctrine was adduced through confidential informants coming directly into open court from the ranks of the Communist Party. These were not "secret informants" after their court appearance and all facts as to their witness fees were made known in court. True, certain of this evidence of Communist doctrine is analyzed by qualified witnesses who taught and wrote for the Party. Both sides present such expert testimony and it is left to the jury to decide the conflicts that arise. Could Mr. Rovere suggest a better or fairer system? On this point, it might be well to note the language of the eminent jurist John J. Parker in the Smith Act prosecution United States v. Frankfeld:

It is difficult to see, however, how better evidence of the teachings and purposes of a party could be obtained than from the testimony of those who heard and participated in the teachings sponsored by the party. In so far as the testimony related to the fact of the teachings of the party, its admissibility does not admit of argument. In so far as it involved matter of opinion, this related to a matter involving specialized knowledge, as to which the opinion of experts is unquestionably admissible, even though it relates to a matter which is for the decision of the jury.

Still under the same subheading, Mr. Rovere discusses the backgrounds of certain of the witnesses used by the Government. He mentions two individuals, Morris Malkin and Paul Crouch, and naturally their activities, particularly during the period when they were in sympathy with or members of the Communist Party, leave much to be desired. But they do not pass upon the "uprightness" of prospective or present Government employees as Mr. Rovere contends. They give what information they possess concerning their associates and acquaintances in the Communist Party and its various front organizations.\* This information is then

evaluated by security officers to determine whether the prospective or present employee is a security risk. Naturally enough, past association with the Communist Party is in many instances sufficient to deny an individual access to a Government position in which classified information must be handled. To operate a security program on any other assumption would be absurd when one considers the established nature of the Communist conspiracy. This information must, of course, come from former Communists and it is ~~known~~ duty of every such person to come forward and give the evidence he or she possesses. <sup>\*</sup> By the use of the term "uprightness" Mr. Rovere is obviously attempting to mislead and to distort the Government's procedure in coping with a serious problem.

Typical of this tactic of Mr. Rovere's is his closing statement under the subheading "The Wages of Repentance" in which he characterizes Manning Johnson and Leonard Patterson as "seasoned performers on the Smith Act wheel." The fact of the matter is that in the thirteen Smith Act prosecutions successfully concluded Leonard Patterson testified exactly once and Manning Johnson not at all.

The next subheading entitled "Un-American?" follows the familiar pattern of the previous. Mr. Rovere again characterizes the Department of Justice as a subsidizer of testimony, but now he carries it further and states that some of the Department's prosecutions are not legitimate but "flagrantly political." Possibly he feels that the Smith Act prosecutions are of such a nature, and that the Communist Party is a legitimate political organization. The public can (be allowed to) evaluate all those who advocate (in) by writing or in speeches that the Communist Party be accorded standing as a political party rather than as a conspiracy.

Mr. Rovere then goes on to impugn the use of the expert witness, not only in Smith Act prosecutions, but generally. He flatly states that the practice "has always been regarded as a dubious one." Such a statement is totally without foundation in established precedent. It is enough to refer back to Judge Parker's statement quoted previously. It is a traditional concept of the law of evidence that where a matter involves specialized knowledge it is a proper subject of expert testimony and both sides, of course, may and do present their experts. The court determines the qualifications, and if the expert is found to be such, he is paid the expert's fee. Comparatively few of the Government's witnesses in Smith Act prosecutions have been so qualified. The number and the basis of qualification is a matter of public record.

One of Mr. Rovere's most preposterous statements -- and one which shows his lack of objectivity -- is made under this subheading "Un-American?". It appears, at least to him, to be "the Department's hope to prosecute the thirty thousand or so American Communists one by one." He claims that this policy has already been set in progress through the conviction of Claude Lightfoot "not as a leader of the Communist conspiracy, not as a teacher of the doctrine of violent overthrow of the government, but as a mere member of the conspiracy, a mere adherent of the doctrine."

It would not even have been necessary for Mr. Rovere to examine the public record in the Lightfoot prosecution to know how patently false his statement is. A quick reading of the indictment returned by the federal grand jury in Illinois would have been sufficient to inform Mr. Rovere that the charge against Lightfoot was far more than mere adherence to the doctrines of Communism. The closing phrase in the second paragraph

(To be inserted at either asterik on page 10):

In view of the many inexcusable inaccuracies and the total lack of any apparent motivation, one might, with at least equal propriety, describe Mr. Rovere as a "kept propagandist."

of the indictment reads as follows: " \* \* \* and said defendant intending to bring about such overthrow by force and violence as speedily as circumstances would permit." This is a charge of specific intent and it required the Government to establish in court, as an essential element of the crime, that Lightfoot was so disposed. This necessitated the Government's establishing that the Communist Party, U.S.A. stood for the violent overthrow of the Government, and that Claude Lightfoot had knowledge of and actively engaged in furthering this basic objective. The Government also proved Lightfoot to be a national leader of the Communist Party, U.S.A., a far cry from mere membership. The record was there for Mr. Rovere to examine -- if he so desired.

Under his subheading "Rising Above Truth", Mr. Rovere cites as his example the testimony of Manning Johnson, before the Subversive Activities Control Board, that he would deny his confidential relationship with the Federal Bureau of Investigation rather than reveal the techniques of methods of operation of the Bureau in its intelligence-gathering functions. True, this was conduct not to be sanctioned but it should not be presented as if Johnson had lied or made false accusations against a defendant or any other individual. Yet this is clearly the impression Mr. Rovere attempts to convey. The short answer to Mr. Rovere is that his own careless treatment of the facts hardly suggests the high standard of journalistic integrity the public expects from Harper's.

The Department is next taken to task for failing to "abandon its present furtiveness and give a full public accounting of the terms and conditions upon which it purchases testimony." Again, the deadly serious accusation that perjury is being suborned by the Government.~~is~~ This is calculated falsehood and is totally without foundation in fact



and yet it is the most persistent theme in Mr. Rovere's article.

As to the question of furtiveness and secrecy, it seems that Mr. Rovere is again berating the Department because we could not comply with his request to relieve him of the necessity of researching for him his "dispassionate study." Mr. Rovere's added comment that "the problem ought to be squarely faced" can only be characterized as facetious. The Government has been squarely facing the most perplexing problem of subversion for a number of years and in so doing it has been necessary to establish and modify many procedures. One of these procedures that has required modification is the retention by the Immigration and Naturalization Service of paid consultants or "kept witnesses", as Mr. Rovere maliciously describes them.\* As mentioned previously, these individuals are no longer under contract to the Government but this is no ground for contending that the Department has hired individuals "to testify according to the wishes of its lawyers." Mr. Rovere can cite no fact to substantiate this latter accusation.\*

In his concluding remarks Mr. Rovere states that the Communist cases manifestly involve political principles, political ideas and political organizations; that professional witnesses are also professional politicians; and that "the distorted view of the dimensions of the problem of domestic Communism" prevalent in recent years "can in large part be charged to the account of the Department of Justice and its professional witnesses." We cannot agree, of course, with Mr. Rovere's characterizations of the Communist cases. In refutation, it might be well to recall the language of Judge Learned Hand in United States v. Dennis whom he characterized, from the evidence, the Communist Party and commented upon the conspiracy as a domestic threat:

The American Communist Party, of which the defendants are the controlling spirits, is a highly articulated, well contrived, far spread organization, numbering thousands of adherents, rigidly and ruthlessly disciplined, many of whom are infused with a passionate Utopian faith that is to redeem mankind. It has its Founder, its apostles, its sacred texts -- perhaps even its martyrs. It seeks converts far and wide by an extensive system of schooling, demanding of all an inflexible doctrinal orthodoxy. The violent capture of all existing governments is one article of the creed of that faith, which abjures the possibility of success by lawful means.

\* \* \*

True, we must not forget our own faith; we must be sensitive to the dangers that lurk in any choice; but choose we must, and we shall be silly dupes if we forget that again and again in the past thirty years, just such preparations in other countries have aided to supplant existing governments, when the time was ripe. Nothing short of a revived doctrine of laissez faire, which would have amazed even the Manchester School at its apogee, can fail to realize that such a conspiracy creates a danger of the utmost gravity and of enough probability to justify its suppression. We hold that it is a danger "clear and present." (Ital. supplied)

As to the role of the Government witness in establishing the nature of the Communist conspiracy in federal prosecutions, Judge Hand's comment that the use of force and violence in the Communist program was established quite independently of the testimony of the Government's witnesses is worthy of note. This is not to imply a deprecation of the testimonial evidence in Smith Act prosecutions. The informant and the expert witness testifying to the nature and character of the Communist Party, U.S.A., and the activities of its various leaders has, of course, constituted vital evidence. But it shows that the violent character of the Communist conspiracy was also established through the Government's documentary evidence, i.e., the publications of the Communist Party.

The Department appreciates constructive public criticism because it is essential to the maintenance of democratic processes and institutions. But we do not feel that Mr. Rovere's article can be characterized as constructive when it deals so persistently in distortions. Such calculated deception cannot pass without comment. You are requested to give this letter space comparable to that afforded Mr. Rovere.

Sincerely,

WILLIAM F. TOMPKINS  
Assistant Attorney General

Mr. Tolson

October 4, 1955

L. B. Nichols

"THE KEPT WITNESSES" by  
RICHARD ROVERE  
HARPER'S MAGAZINE, MAY, 1955

Assistant Attorney General Tompkins talked to me regarding the attached letter which the Department contemplates sending Mr. John Fischer, Editor in Chief, Harper's Magazine in connection with the article which appeared in the May, 1955, issue of Harper's entitled "The Kept Witnesses" by Richard Rovere. In this connection the Department plans to demand that the Fund for the Republic disseminate this letter as it did the article.

This letter should be checked immediately by the Domestic Intelligence Division.

cc - Mr. Boardman

cc - Mr. Belmont

LBN:ptm

(4)

Enclosure

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/89 BY 208 (S7) [signature]

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NOT RECORDED  
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FBI - JUSTICE  
REC'D 955001

INITIALS ON ORIGINAL

50 NOV 8 1955

ORIGINAL FILED IN 100-196902-1

# Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: Oct. 5, 1955

FROM : L. B. Nichols

SUBJECT:

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b7C  
b7D

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/89 BY 20207312

Tolson  
Boardman  
Nichols  
Belmont  
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Parsons  
Rosen  
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Trotter  
Winterrowd  
Tele. Room  
Holloman  
Gandy

[redacted] told me confidentially this morning that the Department has discovered that the University of Chicago, operating under a grant from the Ford Foundation, [redacted] in the Federal District Court in Wichita, Kansas, and [redacted] in five cases. One of the cases was a Federal land condemnation case. [redacted] stated that the University of Chicago was carrying on a research project into [redacted] under Dean Edward H. Levy. (If my recollection is correct, Levy had an institute on law enforcement problems at the University of Chicago some years ago wherein he featured Max Lowenthal who denounced the Bureau, [redacted] and so forth. Levy also was the subject of a Bureau investigation growing out of his taking classified documents from the Department when he resigned and went out as Dean of the University of Chicago Law School.) [redacted] further told me that Federal Judge Hill at Wichita had approved [redacted]; that Hill, in turn, had taken the matter up with Circuit Judge Ora Phillips, who stated he guessed it was all right; that this came up at a West Coast conference of Circuit Judges. The Circuit Judges were horrified but did not know what to do.

[redacted] further stated that it was decided that the Department should make a big issue of this and it was to start with a letter to Dean Levy which Olney sent out dated October 4. Both Rogers and [redacted] told Olney that nothing was to be said to the press at this time. [redacted] stated that some ground work needed to be done to insure the Department could remain in command of the situation.

[redacted] further told me that around 2:00 a. m. this morning he got a call indicating that the Los Angeles Times had carried a story and that he later told me that the wire services had picked this up. [redacted] thought he should do and I told him the only thing that occurred to me at the moment was for the Attorney General to make a strong statement; that this statement could be made in the form of an order to the United States Attorneys calling upon them to [redacted] protect it and so forth. [redacted] thought this was a good idea and very promptly left to draft it. He later showed me a draft and it did look pretty good. He had in the draft that the same group who were [redacted]

cc: Mr. Boardman

Mr. Belmont  
Mr. Jones

LBN:arm (5)

100-3716-111  
RECEIVED-DIRECTOR  
117 OCT 28 1955

16 OCT 27 1955

RECEIVED-SEC  
INVESTIGATIVE

ORIGINAL COPY FILED IN 100-3716-111

Jones to Nichols Memorandum

October 5, 1955

He went to Philadelphia where he interviewed the heads of the American Friends Service Committee and on from there to New York City to look over one of the grants of this \$150,000 project. He described it as a "freedom of conscience" deal involving twenty-eight individuals who are on trial in New York State." He stated that the conscientious nonconformism with which they are charged in this case is refusal to obey the Civil Defense laws of New York, specifically, in refusing to go into a designated air raid shelter on police orders during a practice air raid last June 15 in New York City. The leader of this group of twenty-eight is a woman by the name of Dorothy Day who is the publisher of a notorious magazine called "The Catholic Worker," a very left wing publication which is not a publication of the Catholic Church. He stated that Miss Day as representative of the group called police by telephone on the day of the practice air raid and told them that she and her group were going to stage a demonstration on that date and would refuse to obey police orders to go into the shelter. One Ammon Hennessy, who is editor of Miss Day's publication, said that she and he were "philosophical anarchists," and that they were disobeying a man-made law in order to obey the law of God. Mr. Lewis then spent considerable time discussing the understanding of the word "nonconformist" and the raising of this concept to the status of a virtue by the leaders of the Fund for the Republic.

Mr. Lewis concluded his program by mentioning that one of the projects for the Fund is a questionnaire on "fear and education" which has been widely circulated among professors and others in the field of education. This questionnaire was sent to 2500 professors and was designed to probe their thinking on political questions and academic freedom. Mr. Lewis stated that he requested a copy of this questionnaire and that the committee in charge flatly refused to make one available and this has led him to make the request to any of his listeners who may have a copy of the questionnaire available to send one to him.

✓ *mm*



Memorandum to Mr. Tolson from L. B. Nichols

[redacted] were those who were opposing a change in the criminal rules to  
[redacted]

b7D

I talked to Tompkins later on in the morning and Tompkins stated he wanted to really ride herd, but he doubted that they could do anything in the way of impeachment in view of old Judge Phillips approving the procedure.

I have been confidentially tipped off that the Senate Judiciary Committee already has wind of this and their feeling is that Judge Hill should be impeached; that all attorneys who were a party to such a procedure should be disbarred and they are taking some steps to get the basic facts, after which they contemplate taking the matter over to the House as impeachment proceedings must originate in the House.

Mullen further told me that the Attorney General was going to ask Congress for legislation which would prohibit such actions.

So far as I have been able to find out, the University of Chicago was operating under a grant from the Ford Foundation and it does not appear the Fund for the Republic is involved. Likewise, I have been told specifically that this is not the American Bar Association's project.

Mr. Belmont is getting up summaries on Levy, Hill and Judge Phillips. Judge Hill was formerly Democratic State Chairman in Kansas and was appointed as a Federal Judge in 1949.

✓ JBN

# Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: October 5, 1955

FROM : M. A. Jones

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/26/88 BY 60383 BJS/SPS

SUBJECT: FUND FOR THE REPUBLIC  
FULTON LEWIS, JR., BROADCAST  
OCTOBER 4, 1955

Tolson \_\_\_\_\_  
Boardman \_\_\_\_\_  
Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Mohr \_\_\_\_\_  
Parsons \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tamm \_\_\_\_\_  
 Sizoo \_\_\_\_\_  
Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holloman \_\_\_\_\_  
Gandy \_\_\_\_\_

Mr. Lewis tonight devoted a major portion of his program to a discussion of the Fund for the Republic and its grant of \$150,000 to the American Friends Service Committee. The grant, he said, was given to support a two-year program of legal aid to strengthen the right of freedom of conscience. He quotes Robert M. Hutchins on the purpose of this grant for "freedom of conscience and conscientious nonconformists" and the right of people to conscientiously differ with "prevalent practices and policies." He made reference to his remarks on the previous evening concerning Hutchins' statement that the conscientious objector to military service does not fare well in this country. Mr. Lewis commented that while many of us do not agree with the religious principles that lead to this conclusion on the part of the C.O. we respect his right to this conclusion and we have special provisions of law to take care of his case. Lewis added that it has been the historic position of the Quaker religion to oppose military service, and he can understand the selection of the American Friends Service Committee for this phase of the grant's operation. He stated, however, that when it comes to the rest of Mr. Hutchins' explanation some questions arise. i.e. "Nor does the person who conscientiously objects to take an oath or to tell about the unpopular activities of his acquaintances." To this Mr. Lewis commented that as far as he had been able to determine there is nothing in the Quaker religion contrary to those items.

Mr. Lewis stated that the point of the above material was that the high-sounding phrases of any organization do not mean too much until you get to the "grass roots" and find out how the money is actually being spent, what the results are at this level, and who the people are who are actually getting this money. He stated that the original purpose of the Ford estate grant to the Ford Foundation was "pure as the driven snow." The statement of principles in the \$5 million dollar grant to the Fund for the Republic was unimpeachable in its language. The statements by the Fund for the Republic concerning the grants that they are passing out day by day sound wonderful. He said he was interested in this particular case in finding out what happens to the money at the "action level."

cc - Mr. Nichols  
cc - Mr. Boardman  
cc - Mr. Belmont  
cc - Fund for the Republic File (100-391697)  
cc - American Friends Service Committee  
RGE:age  
(8)

2 OCT 12 1955

CRIME REC.

Mr. Tolson\_\_\_\_\_  
Mr. Boardman\_\_\_\_\_  
Mr. Nichols\_\_\_\_\_  
Mr. Belmont\_\_\_\_\_  
Mr. Harbo\_\_\_\_\_  
Mr. Mohr\_\_\_\_\_  
Mr. Parsons\_\_\_\_\_  
Mr. Rosen\_\_\_\_\_  
Mr. Tamm\_\_\_\_\_  
Mr. Sizoo\_\_\_\_\_  
Mr. Winterrowd\_\_\_\_\_  
Tele. Room\_\_\_\_\_  
Mr. Holloman\_\_\_\_\_  
Miss Gandy\_\_\_\_\_

Mr. Nichols

October 5,  
1955

M. A. Jones

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-26-89 BY 282373 R/f

FULTON LEWIS, JR., BROADCAST  
OCTOBER 3, 1955  
FUND FOR THE REPUBLIC

Mr. Lewis started his program by stating that after a controversial tenure at the University of Chicago, Robert M. Hutchins joined the Ford Foundation in 1951. Shortly afterwards, the Ford Foundation granted the University of Chicago Law School \$400,000 for a study of what was referred to as behavioral sciences.

Lewis checked with a University of Chicago spokesman who advised him that the study was made up of three elements, one of which was "The American Jury." The other two elements were studies of the income tax system and the arbitration system. Lewis only discussed the study of the "American Jury."

He discussed the dean of the University of Chicago Law School, Edward H. Levi, who was given charge of the \$400,000 grant. Lewis mentioned that during World War II, Levi acted as a special assistant to the Attorney General. The actual study of the "American Jury" was turned over by Levi to one of his associates, Harry Kalven, Jr., who conducted the study from September, 1954, on. He was assisted in this study by other lawyers principally, Abner Joseph Mikva and Paul Kitch and a sociologist, Fred Stodolick (phonetic).

Lewis then referred to a story which appeared in today's Los Angeles Times on the basis of which he conducted his own investigation.

Lewis then pointed out that the information which he had gathered today directly concerned Hutchins, whom he then berated as the same man who saw no danger in Communism; and who saw no need for Security programs, and the man who derided wire tapping. He said that a little more than a year ago, Kalven and the three previously mentioned individuals went to Wichita, Kansas, where they conferred with U. S. District Judge Delmus (phonetic) Hill. With Judge Hill's consent, Kalven and his associates installed a microphone in the jury room of Hill's court during a time when civil cases were being tried. The microphone was connected to a tape recorder installed in the Judge's chambers.

cc - Mr. Boardman  
cc - Mr. Nichols  
cc - Mr. Belmont  
cc - Ford Foundation File, 4297  
cc - Fund for the Republic (100-391697)

NOT RECORDED  
156 OCT 11 1955

58 OCT 12 1955

October 5, 1955

Lewis pointed out that two of the five civil cases involved were condemnation cases in which the Government had a direct interest. He said that the tape recordings made showed up this summer in Estes Park, Colorado, where they were played at semipublic gatherings. Lewis learned that the attorneys on both sides were aware that the jury deliberations were being recorded. Lewis then stated that he today talked with the Attorney General who advised Lewis that the Department was initiating a thorough investigation into the matter. Lewis added that the Attorney General said that as soon as the next session of Congress convenes, he will ask for legislation to block this loophole. The Attorney General said that he would ask that it be made a crime to eavesdrop on any Federal jury or Grand Jury. Jay Sourwine of the Senate Internal Security Committee told Lewis he was launching an investigation immediately. Sourwine said he would bring on the stand all those involved but had not decided whether the hearings would be opened or closed.

Lewis then talked with Senator Eastland, Chairman of the Internal Security Subcommittee, who issued a statement to the effect that if the sanctity of the jury room was violated he considered it "one of the greatest blows ever struck at the integrity of the American Judicial System." Eastland's statement went on to state that he would seek legislation to outlaw eavesdropping in the jury room.

He said that the headquarters of the Ford Foundation said tonight that it did indeed make this grant to the University of Chicago but had no control over the work being done.

RECOMMENDATION:

None. For information.

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: October 6, 1955

FROM : Mr. Jones

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 7-26-89 BY 23857JCS

SUBJECT: CHARLES E. CORKER  
FUND FOR THE REPUBLIC

Tolson \_\_\_\_\_  
Boardman \_\_\_\_\_  
Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Harbo \_\_\_\_\_  
Mohr \_\_\_\_\_  
Parsons \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tamm \_\_\_\_\_  
 Sizoo \_\_\_\_\_  
Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holloman \_\_\_\_\_  
Gandy \_\_\_\_\_

You requested information in Bufiles on Charles E. Corker, Stanford University, who is Staff Director for Fund for the Republic Task Force which is checking into record of former communists who testified in behalf of Government. You indicated that July 26, 1952, issue of the San Francisco Examiner was reported to have contained an article indicating that Corker was subject of insanity hearing.

INFORMATION IN BUFILES

The Bureau has conducted no investigation concerning Corker but Bufiles do reflect background information concerning him. Charles Edward Corker was born January 16, 1917, at Boise, Idaho; received A.B. degree, Stanford University in 1941 and was in attendance at Harvard Law School during 1941-1942 and 1942-1943. In 1943, he dropped out to accept commission in U.S. Navy. He returned to Harvard Law School in early 1946 and was awarded LL.B. degree, magna cum laude, on November 25, 1946. He became affiliated with Stanford University Law School before he returned to Harvard in Fall of 1953 to accept position with Fund for the Republic. (100-391697-29)

The San Diego Field Office reported on February 12, 1954, that Fourth California District Court of Appeals had been contacted by Corker for Fund for the Republic and requested to provide information on several specific cases concerning Communism handled by the Court. (San Diego letter to Bureau 100-391697-29)

ARTICLE IN SAN FRANCISCO EXAMINER

Bufiles contain no reference to an article in the San Francisco Examiner regarding an insanity hearing involving Corker. The July 26, 1952 issue of the San Francisco Examiner was reviewed at the Library of Congress and a true copy of the article is attached. Briefly it reflects that Charles Edward Corker, 35, a Stanford University professor, appeared before a jury and judge in Redwood City, California, on 7/25/52, to testify as to his sanity. Corker had recently been committed as mentally ill to the Veterans Hospital at Menlo Park, California, by Superior Judge Edmund Scott. Corker demanded the jury trial. Two psychiatrists testified that Corker's mental condition made him a danger to himself and others. In addition, Corker's wife and closest friend, Associate Professor Phil C. Neal, testified to numerous alleged irrational acts by Corker. The article does not reflect the results of the trial before the judge and jury. Arrangements have been made to obtain a photostat of the article from the Library of Congress.

RECOMMENDATION: (see next page)

Enclosures (2)

GEM:sms

(H)

10-6-55

memo to AGO

10-12-55

GEM

1 ENCL.

OCT 21 1955

Jones to Nichols Memorandum

October 6, 1955

RECOMMENDATION:

It is recommended that the attached teletype be sent to the San Francisco Office with instructions that the morgue of the San Francisco Examiner be checked for further information regarding the insanity trial on Corker, and that the dates of the trial be verified through court records.

WFO being requested to check  
Veterans Administration and Navy  
records also. MAJ

yes. Then send facts  
to A. G. Rogers;  
Tom Perkins  
/x-



## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols *mm*

DATE: October 6, 1955

FROM : M. A. Jones *mm*ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIEDDATE 7/26/89 BY 20230512 *mm*SUBJECT: FULTON LEWIS, JR.  
RADIO BROADCAST  
7 P.M., OCTOBER 6, 1955

Tolson	
Boardman	
Nichols	
Belmont	
Harbo	
Mohr	
Parsons	
Rosen	
Tamm	
Sizoo	
Winterrowd	
Tele. Room	
Holloman	
Gandy	

In his radio broadcast on station WWDC at 7 p.m., October 6, 1955, Mr. Lewis continued with his discussion on the report of the tape recordings which had been planted in the jury room of a Federal Court in Wichita, Kansas, by a project of the Ford Foundation. Mr. Lewis stated that there had been various developments during the day including an official statement by the Attorney General who had stated that the Department of Justice was unequivocally opposed to eavesdropping on deliberations of a jury under any conditions. Lewis stated he would ask Congress for a law to prevent any such intrusions. According to Lewis the tape recordings were made without the knowledge or consent of the Department of Justice or the Attorney General. The Attorney General further stated that eavesdropping is clearly inconsistent with the 7th Amendment to the Constitution which provides that trial by jury must be preserved.

Lewis also stated that the American Civil Liberties Union had also issued a statement expressing shock over the incident. The statement by the ACLU stated that it was immaterial whether the judges and the attorneys approved it or not.

Lewis also reported that the University of Chicago Law School had issued statements purporting to come from Professor Harry Kalen defending the procedure on the grounds that the judges and all of the attorneys involved, including the U. S. District Attorney gave their approval. Lewis stated that he always likes to be sure of statements such as this and that he inquired of George Templar who was the U. S. Attorney at the time, and Templar advised Lewis that he had had no knowledge of the act and that he did not give his approval. Lewis, however, advised that his assistant at that time was William E. Farmer who is now the U. S. Attorney for that district. Lewis stated that he contacted Farmer who is attending the U. S. Attorneys' Conference in Washington, D. C., who said that he definitely did not give his approval and knew nothing

cc: Mr. Nichols *mm*  
cc: Mr. Boardman  
cc: Mr. Belmont

cc: Mr. [unclear] for the Republic file (100-391697)

2 OCT 12 1955

ORIME REC.

Jones to Nichols memorandum

October 6, 1955

about the recordings that were being made at the time and never found out about their existence until a year later.

Lewis continued his program with some background material regarding the individuals who were connected with the program. He started with Dr. Edward Levi, Dean of the University of Chicago Law School and his subordinate Professor Harry Kalvin. He stated that Dean Levi is strictly an <sup>academic</sup> ~~atomic~~ lawyer who is a protege and appointee of Robert Maynard Hutchins who is now head of the Fund for the Republic and who <sup>was</sup> ~~is~~ on the Ford Foundation as an Associate Director when the \$400,000 grant was made in 1952. Lewis also pointed out that Levi did one short turn for a notorious congressional investigation several years ago which was headed by Representative Emanuel Celler. The purpose of which Lewis said was to try and smear industry, business, and finance in general throughout the country through a purported monopoly investigation which never clicked.

Lewis continued by discussing Kalvin and stated that he, Kalvin, is on record in the Daily Worker as having signed an open letter to the President urging clemency for the Rosenbergs in 1952. He stated that Kalvin recently wrote an article that appeared in the September, 1954, issue of the Bulletin of the Atomic Scientists which was a vigorous defense of Dr. J. Robert Oppenheimer and an attack on the security systems of the Government in general. Lewis also pointed out that the article was favorably mentioned in the book "I Accuse" by Stewart and Joseph Alsop.

Lewis cited that these are the kind of individuals to whom the Ford Foundation has given \$400,000. He continued that the Ford Foundation attempts to defend themselves by saying that it has no control of what is done with the monies once they are granted. Lewis stated that this is probably true considering the basis under which the Ford Foundation operates and that it behooves the Ford Foundation to be very sure in advance as to exactly who the people are they are dealing with.

Jones to Nichols memorandum

October 6, 1955

Lewis stated that in Illinois the state executive committee of the American Legion has officially repudiated any connection with the \$50,000 grant from the Fund for the Republic which was to be for some sort of joint adult education project. Lewis also stated that in Idaho, the Legion has also demanded that the University of Idaho ~~cancel~~<sup>8254</sup> a speech which Robert Maynard Hutchins is scheduled to make there.

Lewis closed his program by announcing that the Senate Internal Security Subcommittee announced it has issued subpoenas for hearings in Washington last week including subpoenas for Levi, Professor Calvin and three other men who worked with Calvin on the project.

RECOMMENDATION:

None. For information.

✓  
ms

Oct. 5, 1955

TELETYPE

FBI LOS ANGELES

10/5/55

11-02 AM

DIRECTOR

URGENT

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-99 BY SP2 BTJ/laf

ATTENTION MR. L. B. NICHOLS  
EAVESDROPPING ON JURY, INFO CONCERNING. REBUCALL TODAY. FOLLOWING  
ARTICLE APPEARED IN MORNING EDITION OF L.A. TIMES TODAY, DATELINE  
WASHINGTON, D.C. OCT. FOURTH, WRITTEN BY ROBERT T. HARTMANN. TIMES  
WASHINGTON BUREAU CHIEF. QUOTE. THE JUSTICE DEPARTMENT IS IN-  
VESTIGATING THE ALMOST INCREDIBLE "BUGGING" OF A JURY ROOM TO  
EAVESDROP ON AND RECORD DELIBERATIONS OF JURORS IN THE SUPPOSED  
SANCTITY OF A FEDERAL COURT, THE TIMES LEARNED TODAY. NEITHER  
FBI AGENTS NOR NOSY NEWSPAPERMEN WERE BRAZEN ENOUGH TO PIONEER THE  
WIRING FOR SOUND OF THAT LAST REFUGE OF LIBERTY. INSTEAD, IT WAS  
DONE IN THE NAME OF SCHOLARSHIP BY A UNIVERSITY OF CHICAGO LAW  
SCHOOL TEAM FINANCED BY THE FORD FOUNDATION. EVEN MORE AMAZING, THE  
PROJECT HAD THE ASSENT AND ASSISTANCE OF A FEDERAL JUDGE, WHO REPORTEDLY  
CONCEALED THE RECORDING APPARATUS IN HIS JUDICIAL CHAMBERS AND NOT  
ONLY ADMITTED BUT DEFENDED HIS STAND TO INVESTIGATORS. AT LEAST  
FIVE SUCH WIRETAPPED TRIALS WERE HELD EARLY LAST YEAR IN THE COURT OF  
U.S. JUDGE DELMAS C. HILL IN WICHITA, KAN., AND IN SEVERAL OF THESE  
CIVIL CASES THE GOVERNMENT WAS A PARTY. ALTHOUGH THE JURORS REACHED  
THEIR VERDICTS AND WERE DISMISSED UTTERLY UNAWARE THAT EVERY WORD THEY  
SPOKE HAD BEEN RECORDED, COUNSEL ON BOTH SIDES ARE SAID TO HAVE  
CONSENTED. LATER, THE RECORDINGS WERE PLAYED AT 1955 SENI PUBLIC MEETING  
IN DENVER, LEADING TO THE CURRENT PROBE. JUDGE HILL WAS APPOINTED

END PAGE ONE

PAGE TWO

TO THE FEDERAL BENCH IN NINETEEN FORTYNINE BY PRESIDENT TRUMAN, AFTER SERVING AS DEMOCRATIC STATE COMMITTEE CHAIRMAN FOR KANSAS. THE LABORATORY STUDY OF THE AMERICAN JURY SYSTEM "AS A WORKING INSTITUTION"--- NOT TO BE CONFUSED WITH A SIMILAR BUT QUITE ORTHODOX INQUIRY BY THE AMERICAN BAR FOUNDATION--IS UNDER THE GENERAL SUPERVISION OF FORTYFOUR OLD DEAN EDWARD H. LEVI OF THE UNIVERSITY OF CHICAGO LAW SCHOOL, WHO RECEIVED HIS LAW DEGREE THERE IN NINETEEN THIRTYFIVE AND HAS BEEN A FACULTY MEMBER SINCE NINETEEN THIRTYSIX, EXCEPT FOR A FIVE-YEAR LEAVE TO SERVE AS SPECIAL ASSISTANT TO THE ATTORNEY GENERAL DURING PRESIDENT ROOSEVELT-S WARTIME ADMINISTRATION. IN DIRECT CHARGE OF THE JURY EAVESDROPPING PROJECT IN THE WICHITA COURT WAS PROF. HARRY KALVEN JR., OF THE UNIVERSITY OF CHICAGO LAW SCHOOL, ASSISTED BY ANOTHER LAWYER AND A SOCIOLOGIST. THE CASE GAINS ADDED INTEREST FROM THE REFUSAL OF JUSTICE FRANKFURTER, AT THE SUPREME COURT-S OPENING SESSION YESTERDAY, TO ALLOW A MICROPHONE TO BE PLACED ON HIS BENCH IN OPEN COURT EVEN AS AN AID TO ACOUSTICS. SO UNTHINKABLE, APPARENTLY, IS THE IDEA THAT A MICROPHONE COULD BE SECRETED IN A JURY ROOM THAT LEGAL EXPERTS SO FAR HAVE BEEN UNABLE TO FIND AND LAW -- CIVIL OR CRIMINAL -- AGAINST IT. USUALLY, ANY ATTEMPT TO EAVESDROP, CONTACT OR OTHERWISE VIOLATE THE STRICT PRIVACY OF A JURY ROOM IS PUNISHABLE AS CONTEMPT OF COURT, BUT A FEDERAL JUDGE CANNOT CITE HIMSELF. NEITHER, IN THIS CASE, IS THERE EVIDENCE

END PAGE TWO

PAGE THREE

OF INTENTION TO INFLUENCE THE JURORS OR THAT THE "BUGGING" IN ANY WAY AFFECTED THEIR VERDICTS. THEIR COMMENTS AND OPINIONS, HOWEVER, MIGHT BE HIGHLY INTERESTING AND POSSIBLY SLANDEROUS TO CERTAIN WITNESSES, COURT OFFICIALS OR LITIGANTS. AND OFFICIALS HERE ARE KNOWN TO BE DEEPLY CONCERNED LEST OTHER JURORS, HEARING OF THIS CASE, FEAR THEIR OWN DEBATES WILL BE OVERHEARD. REMEDIAL LEGISLATION POSSIBLY WILL BE PROPOSED TO THE NEXT CONGRESS OR THE SUPREME COURT MAY TAKE THE LEAD IN A REVISION OF FEDERAL COURT RULES. THE SUPREME COURT HAS BEEN SHARPLY CRITICAL OF ALL FORMS OF ELECTRONIC EVIDENCE, NOTABLY IN A RECENT LONG BEACH CASE IN WHICH POLICE HAD A MICROPHONE IN THE ROOMS OF A SUSPECTED BOOKMAKER IN ORDER TO GET EVIDENCE AGAINST HIM. WHILE THE SUPREME COURT HAS NEVER BEEN ASKED TO RULE ON THE PRECISE ISSUE OF "BUGGING" A JURY ROOM, IT HAS SPOKEN OF THE SANCTITY OF JURY DELIBERATIONS IN THIS VEIN. "FREEDOM OF DEBATE MIGHT BE STIFLED AND INDEPENDENCY OF THOUGHT CHECKED IF JURORS WERE MADE TO FEEL THAT THEIR ARGUMENTS AND BALLOTS WERE TO BE FREELY PUBLISHED TO THE WORLD." /CLARK V. U.S./ "A JUROR MUST FEEL FREE TO EXERCISE HIS FUNCTIONS WITHOUT THE FBI OR ANYONE ELSE LOOKING OVER HIS SHOULDER." /REMER V. U.S./ LOUD PROTESTS WERE HEARD IN THE LAST SESSION OF CONGRESS WHEN ATTY. GEN. BROWNELL ASKED FOR A LIMITED LEGALIZING OF WIRE-TAP EVIDENCE IN NATIONAL SECURITY AND KIDNAPING CASES. UNDER THE PROPOSED BILL, WHICH DIED IN THE HOUSE JUDICIARY COMMITTEE,

END PAGE THREE



PAGE FOUR

PRIOR PERMISSION OF A FEDERAL JUDGE WOULD BE REQUIRED IN EACH CASE BEFORE AGENTS WOULD INSTALL A WIRE TAP TO OBTAIN ADMISSIBLE EVIDENCE ON SUSPECTED SPIES, SABOTEURS AND SUBVERSIVES. REP. GELLER /D/N.Y., CHAIRMAN OF THE COMMITTEE, CALLED WIRE TAPPING A "VICIOUS CANCER." AND DR. ROBERT M. HUTCHINS, ANOTHER VOCAL CRITIC, WARNED THE THE AMERICAN SOCIETY OF NEWSPAPER EDITORS HERE LAST APRIL COLON "LISTEN TO THE WIRE TAPPING, TO THE GRY OF THE FIFTH AMENDMENT COMMUNIST, TO THE KEPT WITNESSES ROAMING THE LAND." DR. HUTCHINS, COINCIDENTALLY, WAS CHANCELLOR OF THE UNIVERSITY OF CHICAGO AT THE TIME OF DEAN LEVI-S APPOINTMENT TO HEAD THE LAW SCHOOL AND WAS ASSOCIATE DIRECTOR OF THE FORD FOUNDATION WHEN THE JURY STUDY WAS UNDERWRITTEN. IN HIS COMMENTS TO THE NATION-S EDITORS DR. HUTCHINS MADE ANOTHER POINT SOMEWHAT APROPOS TO THE CASE OF THE "BUGGING" JURY ROOM COLON. "THE MOST DEPRESSING PART OF IT IS NOT THAT THESE THINGS HAPPEN BUT THAT THE FREE PRESS OF THIS COUNTRY APPEARS TO REGARD THEM AS MATTERS OF ROUTINE." UNQUOTE.

MALONE

END

2-20 PM OK FBI WA EW

M

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: October 7, 1955

FROM : M. A. Jones

SUBJECT: FULTON LEWIS, JR.  
FADIO BROADCAST  
7 P.M., OCTOBER 7, 1955ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 7-26-81 BY 2052(SJC) 100

Tolson	
Boardman	
Nichols	
Belmont	
Mohr	
Parsons	
Rosen	
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Sizoo	
Winterrowd	
Tele. Room	
Holloman	
Gandy	

Mr. Lewis broadcast as follows: Mr. Robert M. Hutchins, head of the Fund for the Republic (FFR), receives a Civil Rights Award here in Washington tonight from the left wing American Veterans Committee, and he will repeat to the banquet in his honor a speech that he made recently in Los Angeles which contained some interesting if somewhat dubious statements. Hutchins says for example "People who fear an impartial investigation of the Government's loyalty-security program do so because they are afraid of the truth." This is a curious twist indeed for several reasons which are quite typical of wily wording for which Hutchins is renowned.

The normal person would say people who fear the Government's loyalty-security program do so because they are afraid of the truth which is logical. The interesting angle is Hutchins' insertion of the word "impartial." No one has ever objected to an impartial investigation of the Government's loyalty-security program so far as he, Lewis, knows.

The implication of Hutchins' remarks is that investigation by FFR is impartial but Hutchins knows well that it was not impartial, and it was not intended in the beginning for it to be impartial and are not now impartial. Hutchins is not impartial, and every project undertaken by the FFR; this misguided \$15,000,000 grant from Ford Foundation, has had a very clear cut objective in mind as to what the investigation was going to produce--that the program would appear unfair, evil and violative of rights of the individual, unnecessary and costly.

Every publication by the FFR under the deft handling of Hutchins and his side kick, W. H. Ferry, has had the same tilt. Lewis then read from the FFR Annual Report, the complete publications regarding the loyalty-security program distributed by the FFR. Lewis stated this is not an impartial list because it

cc - Mr. Nichols  
cc - Mr. Boardman  
cc - Mr. Belmont  
cc - Fund for the Republic (100-391697)

RECEIVED-DECEMBER

621-11100  
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ELJ:bs  
(8)

Jones to Nichols memorandum

October 7, 1955

has everything on one side and nothing in favor of the Government.

Lewis stated the greatest project the FFR has thus far completed is a so-called study of the loyalty-security program by a group of selected cases done by a young attorney, Adam Yarmolinsky. Lewis stated the cases were so selected as to make them tell a story of a mercilessly, unfair burden on the individual although Yarmolinsky admits he has no facts on the Government's side of the story. Concluding, Lewis stated this, according to Hutchins, is an impartial investigation.

Lewis stated that Representative Keating of New York, a member of the House Judiciary Committee, told him at noon today that Keating will demand a full investigation of the "bugging" of the Federal Court jury room by a team of attorneys from the University of Chicago operating under a \$100,000 grant from the Ford Foundation. Keating desires to get all the details of this incident with the view of deciding whether the judge involved should be impeached.

RECOMMENDATION:

Informative only.

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~~\_\_\_\_\_~~

## Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. L. B. NICHOLS

FROM : A. ROSEN

SUBJECT: UNITED STATES ATTORNEYS' CONFERENCE  
OCTOBER 5 - 7, 1955ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-26-89 BY SP8BJJ/af

DATE: October 7, 1955

Tolson  
Boardman  
Nichols  
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Rosen  
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 Sizoo  
Winterrowd  
Tele. Room  
Holloman  
Gandy

During the administrative session yesterday, Andreotta presiding, the administrative program of stressing incentive awards was raised. The Administrative Division pointed out that the Department viewed favorably any incentive award program, but that in order to justify it there had to be an improvement to the service shown or an outstanding performance over a sustained period of time. Many of the United States Attorneys had been writing in saying that the employee had been with the Government for a number of years and, therefore, was entitled to an incentive award. It was pointed out that this was not the type of case which merited such an award.

During the Internal Security conference, which was started by Walt Yeagley in the absence of Tompkins (Tompkins came in within 15 minutes after it started) nothing of an unusual nature occurred. I have read your memorandum and most of it was repetitive.

It would be well to point out that Yeagley spoke of the program which the Department intended to follow indicating it was no different than the program established by the Attorney General prior to the Geneva Conference; that the basic concepts of Communism as enunciated by Marx, Lenin, and Stalin were still in effect. It was also indicated that the Russian attitude toward subversion had not changed and that as far as the United States was concerned, the most effective avenue of subversion was through well-established channels known to the Department. The question of subversion did not have any bearing upon the program of peaceful co-existence. It was further indicated that if there was any let-up in the program of the Russians, it was a temporary delaying tactic.

Tompkins, as well as Yeagley, pointed out that the United States Attorneys were to get the gospel over during luncheon talks. He stated that sufficient material had been given to the various United States Attorneys and they were going to send out some more speech material which would again give them the necessary material to get the Department's attitude over to the public.

It appears that there is going to be a concerted drive in the form of speeches by United States Attorneys in their localities to be implemented by any speakers that they might desire to come from Washington. He stressed getting to Rotary Clubs and that the reaction to speeches has been terrific.

Memorandum to Mr. Nichols

and the public eat up the subject of Communism.

Tompkins noted that a new tactic has arisen and that is that the Communists are now going to claim that they are not going to be able to get a fair trial by jury. Inasmuch as they could not get such, they are going to follow the tactic of waiving a trial by jury. This is in furtherance of the attempt to discredit the entire system of jurisprudence in the country.

Tompkins then took off on the Fund for the Republic and referred to an article by Revere which was most unfair. He indicated that despite the fact that the courts had considered that the Communist Party was a criminal conspiracy that Revere did not view it as such. He said that the Fund for the Republic study is not just another review inasmuch as it does carry some weight. Considerable damage is being done as a result of the dissemination of the article.

He indicated that a further difficulty is the fact that men of the type of Hutchens do carry considerable weight in their utterances and when they get the word around and leave the impression that the Communist Party is not as dangerous as it professes to be and in other ways minimizes the real danger, this is most effective subversion.

He then indicated that the best means of getting the message to the public is to use source material, citations which have been accepted as actually denoting what the Communist Party is, and even to the extent of quoting. He pointed out that the best way to dispel this poison pen propaganda and to discredit these persons such as Hutchens who have a certain amount of public acceptance is to get before the public in a dispassionate way the true facts.

He then referred in glowing terms to the Director's recent speech before the IACP convention and said it was one of the greatest speeches he had ever heard. He said there was more meat in the Director's comments than in any single statement which he had seen and he referred particularly to one sentence, reading it verbatim. It is as follows:

"It is through the 'pseudo liberals' that the Communists do some of their most destructive work. These fictitious liberals are the individuals who through insidiously slanted and sly

Memorandum to Mr. Nichols

propagandistic writings and reports oppose urgently needed internal security measures; conduct a one-sided campaign to discredit Government witnesses; present the menace of Communism as a myth of hysteria; urge that we tolerate the subversive acts of Communists because Communists are only 'nonconformists'; contend that the Communist Party is a 'political' movement and that it is improper to consider it a criminal conspiracy linked to a world conspiracy to overthrow our Government by force and violence."

He also indicated that it had been a failure on the part of the press to accept the difference between faceless informers such as you have in loyalty cases and named<sup>5</sup> informants in cases brought to trial. Whether this was a deliberate attempt to confuse the issue or not could not be certain, but certainly a faceless informant in a loyalty case does not occupy the same position as an informant in a criminal matter where the informant appears in court and testifies against the defendant. There never has been any criticism of informants used in narcotics cases. As a matter of fact, the informants in narcotics cases are generally of a low type and every time a narcotics violator is put away there is always a pat on the back for the Department and the United States Attorney. In spite of this, as soon as an informant in a criminal case is used by the Government, an attempt is immediately made to discredit him even though he does testify and even though he does give information which can be established through the testimony of other witnesses.

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## Office Memorandum

UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: October 7, 1955

FROM : M. A. Jones

SUBJECT: EARL GODWIN  
6:15 P.M. RADIO BROADCAST  
OCTOBER 7, 1955ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 7-26-89 BY 80531 JAW

279638  
279639

Tolson	
Boardman	
Nichols	
Belmont	
Harbo	
Mohr	
Parsons	
Rosen	
Tamm	
Sizoo	
Winterrowd	
Tele. Room	
Holloman	
Gandy	

Mr. Godwin stated that U. S. Attorney Leo Rover had spoken before the Northeast Council of Citizens Association regarding ~~insidious~~ insidious movements that the Communist Party is merely another political party like the Democrat and Republican Parties. This movement is attempting to put America asleep to the danger that lies before her.

Mr. Godwin said that he had a letter from former New York Congressman Hamilton Fish in which the Director is quoted that "Communism is an enemy seeking to destroy our free form of Government." Mr. Godwin stated that Mr. Fish has written to "young" Henry Ford whether Ford had financed the Fund for the Republic. It was indicated that the Fund for the Republic was such an organization attempting to lull our country into a false sense of security.

Mr. Godwin stated that Mr. Hutchins of the Fund for the Republic will address the American Veterans Committee and perhaps he will have something to say concerning his Fund regarding these questions which have arisen. Mr. Godwin stated that the Eastland Congressional Committee has recently shown that international Communism looks toward world advances and cited the French situation in relation to the Geneva Conference.

Informative only.

20 OCT 13 1955